

The Department of State

Bindery

bulletin

**GERMANY BECOMES PARTNER IN WESTERN
COMMUNITY • Statement by Secretary Acheson and
Summary of Contractual Agreements 887**

**TREATY ESTABLISHING EUROPEAN DEFENSE
COMMUNITY SIGNED • Statement by Secretary
Acheson, Protocol to the North Atlantic Treaty, and
Tripartite Declaration 895**

**U.S., U.K., FRANCE SUBMIT PROPOSALS FOR
NUMERICAL LIMITATION OF ARMED
FORCES • Statement by Benjamin V. Cohen 907**

**TRADE EXPANSION: A VITAL ELEMENT IN
ACHIEVEMENT OF WORLD PEACE • By Harold
F. Linder 898**

**A REPORT ON THE FAR EAST • By General Matthew
H. Ridgway 924**

Vol. XXVI, No. 676

June 9, 1952



For index see back cover



The Department of State bulletin

VOL. XXVI, No. 676 • PUBLICATION 4615

June 9, 1952

The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Publications, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes selected press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information is included concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest.

Publications of the Department, as well as legislative material in the field of international relations, are listed currently.

For sale by the Superintendent of Documents
U.S. Government Printing Office
Washington 25, D.C.

PRICE:
52 issues, domestic \$7.50, foreign \$10.25
Single copy, 20 cents

The printing of this publication has been approved by the Director of the Bureau of the Budget (January 22, 1952).

Note: Contents of this publication are not copyrighted and items contained herein may be reprinted. Citation of the DEPARTMENT OF STATE BULLETIN as the source will be appreciated.

Germany Becomes Partner in Western Community

CONTRACTUAL AGREEMENTS WITH U.S., U.K., AND FRANCE SIGNED AT BONN

STATEMENT BY SECRETARY ACHESON

[Released to the press May 26]

Agreements bringing to an end the Allied Occupation of the Federal Republic of Germany were signed at Bonn on May 26 by Secretary Acheson, Foreign Secretary Anthony Eden of the United Kingdom, Foreign Minister Robert Schuman of France, and Chancellor Konrad Adenauer of the Federal Republic. Following is the text of a statement made by Secretary Acheson at the signing ceremony:

The agreements that have been signed today are of great importance for each of the four countries represented here. The Federal Republic is attaining the independence in foreign affairs and authority in domestic matters which befit a free state. The United Kingdom, France, and the United States, together with the other free nations, are welcoming a new partner in their great effort to establish peace and security in the world.

Let us take a moment to examine what these agreements mean and what they are intended to accomplish.

The relations which follow from these agreements are fundamentally such as exist between countries closely associated in peace and friendship. When the agreements enter into effect, the Occupation will come to its formal close, and the Federal Government will deal with other governments on a normal basis. The U.S. Government is convinced that the agreements are just because problems arising from the war must be settled, and it is right to settle them in this fashion. The purpose of the agreements is to bring the Occupation to an end and this will be their effect.

There are still certain powers reserved to the United Kingdom, France, and the United States. But the important thing to remember about these powers is that they are not retained for any reasons which have to do with the Federal Republic

alone. They are related to other factors entirely—to the necessity for the presence in Germany of troops whose mission is the defense of German peace and freedom and of peace and freedom throughout the free world, and to the unhappy fact that Germany is still a divided country. When these conditions no longer exist, the powers retained to deal with them will be withdrawn.

It is a matter of great regret and concern to the American Government that the task of restoring Germany as a whole is not completed. I feel deeply the absence on this occasion of those who might have represented the people of that part of Germany which is still under Soviet occupation. It would have been a more joyful occasion if they had been permitted to join us.

One of the great aims of the Western World, one of the great themes of its culture, and one of the great achievements of its people, has been freedom. Political and social freedom of the individual, freedom of his conscience and speech, have been what the West holds most dear. Since the end of the war the Three Powers have consistently worked to establish freedom throughout Germany, and their efforts have been met with invaluable cooperation on the part of the people of Western Germany and Berlin. Together, we have succeeded in bringing freedom to the greater part of Germany, but until freedom can be extended to the entire country, and until all Germans—East and West—are reunited in freedom, the goal will not have been reached.

I can assure you of my Government's continued determination to press steadily toward this goal until the unity of Germany in freedom has become a reality.

In anticipation of the day when these agreements will have been accepted by the legislative bodies of our countries and will enter into effect, I wish to congratulate the Federal Republic on its new place among nations of the world. We have difficult problems ahead, and we can solve them only by working together. We are glad to have

a new partner in this great cause. On behalf of the President of the United States and the American people, I welcome the Federal Republic on its return to the community of nations.

SUMMARIES OF CONTRACTUAL AGREEMENTS¹

The following is based on material released to the press at Bonn on May 26 by the Allied High Commission:

I. The Meaning of the Contractual Agreements

The effect of the Contractual Agreements is to include the Federal Republic in the community of free nations as an equal partner.

The convention on relations and the related conventions aim to liquidate a situation which arose out of the war and the Occupation. In addition, they regulate the stationing in the Federal Republic of substantial foreign forces to assist in the common defense. It has consequently been necessary not only to establish broad principles, but to make provisions of a detailed character, such as normally appear in peace treaties and military conventions.

In considering the Contractual Agreements as a whole, it should be borne in mind that they have had to take into account an unprecedented situation.

In the first place, as long as there is no agreement between the Three Powers and the Soviet Union, the unity of Germany cannot be realized nor can all-German problems be settled. Hence the problem has posed itself of according to the Federal Republic full authority over its external and internal affairs while preserving the means of negotiating German unity and of maintaining rights of the Three Powers in Berlin. Subject to the realization of these aims, the Three Powers have no desire to infringe German sovereignty or German equality of rights.

Secondly, an unusual situation has been created by the need to station in time of peace a very large number of troops for defense purposes in a foreign country. The presence of troops of the Three Powers in Germany is vital to the defense of Germany. This naturally imposes a burden on Germany, although already it is bringing an important economic advantage in the shape of the expenditure of foreign currency, a factor which with the passage of time will play an increasingly important role. On the other hand, it must not be forgotten that the despatch of these troops abroad imposes a severe military and financial burden on the other Western Powers, who have committed very important military and air forces to this theatre. In order to fulfill their role, these troops and air forces must be operational. They must have facilities for training, they must be provided with lines of communication, and their essential military requirements must be met; furthermore, they must have the assurance of the requisite liberty of action if need arises. Otherwise Germany cannot be defended and these troops will be exposed to unnecessary hazards unacceptable to their Governments. The problem has been to reconcile the preservation of the rights of the Federal Republic and its citizens with the legitimate operational requirements of the foreign defense forces.

Thirdly, in view of the fact that a general peace treaty cannot now be concluded, the agreements take the unprecedented step of liquidating the war and the controls of the Occupation regime before conclusion of a final peace settlement. Hence the appearance of a number of provisions which would normally have been included in a peace

treaty. The liquidation of a long and bitterly contested war is not a simple matter, but the provisions have been designed to meet to the minimum acceptable extent the principal aims of the Allies while at the same time imposing the least possible burden on the structure and economic stability of the Federal Republic.

Because of the special status of the city, the Contractual Agreements do not apply to Berlin. However, in consonance with their new relationship to the Federal Republic, the Three Powers have published a declaration that they will grant the Berlin authorities the maximum liberty compatible with the city's special situation.

II. Summary of the Convention on Relations Between the Three Powers and the Federal Republic of Germany and the Documents Annexed to It

The convention on relations is the political agreement establishing the basic principles which will henceforth govern the new relationship between the Three Powers and the German Federal Republic.

The convention comprises a preamble and 11 articles only. Its provisions have three major effects: the Federal Republic is granted the widest authority over its internal and external affairs, the rights retained by the Three Powers are defined, and the objectives of a common policy are set out.

Freedom for the Federal Republic

The granting of freedom to the Federal Republic is achieved in the following way:

The Occupation Statute is repealed;

The Allied High Commission and the *Land* commissions are abolished;

Henceforth the Three Powers will conduct their relations with the Federal Republic through ambassadors; The foreign armed forces stationed in the Federal territory are no longer Occupation forces, their sole mission now being to secure the defense of the free world.

The Federal Republic, released from all control, will thus be able, on its own responsibility, to develop its democratic and Federal institutions within the framework of its basic law.

Limited Rights for the Three Powers

Because of the current international situation, the existing division of Germany, and the present impossibility of concluding a peace treaty, the Three Powers must necessarily retain certain rights relating to the stationing of armed forces in Germany and the protection of their security in Berlin, and in Germany as a whole. The convention places obligations on each party to preserve these rights. Thus, while the Federal Republic must abstain from any action prejudicing these rights and agrees to facilitate their exercise by the Three Powers, the latter, in return, undertake to consult the Federal Republic in respect of their implementation. Likewise, although the Three Powers have the power, in certain circumstances endangering the security of the forces, to declare a state of emergency over all or part of the Federal territory, they can do so only if the Federal Republic and the European Defense Community (Edc) are unable to meet the emergency. In such circumstances they will utilize to the greatest possible extent the assistance of the Federal Government and the other German authorities. Furthermore, the measures they may take during this exceptional period are restricted to the minimum necessary to restore the situation. As regards Berlin, the Federal Republic promises to furnish its utmost cooperation for the political, cultural, economic, and financial reconstruction of the city.

¹For text of the German Contractual Agreements, together with text of the treaty establishing the European Defense Community, see 82d Cong., 2d sess., Executives Q and R, June 2, 1952.

Federal Republic an Equal Partner

The new status of the Federal Republic fits into the framework of a common policy, the objectives and implications of which are made clear in the convention. The immediate objective is to integrate the Federal Republic, on a basis of equality, in the European community now being shaped, which is itself a part of the community of free nations. The Federal Republic agrees to conduct its affairs in conformity with the principles stated in the Charter of the United Nations and the objectives defined by the Statute of the Council of Europe, asserts its intention to become a member of the international organizations of the free world, and freely undertakes to participate in the European Defense Community.

A second objective is the reunification by peaceful means of a fully free Germany. Thus, the four signatory states are resolved that the peace settlement for the whole of Germany shall be freely negotiated by all the parties; they also agree that a unified Germany shall enjoy the rights and be bound by the obligations conferred and imposed upon the Federal Republic by the new agreements and treaties contributing to the creation of an integrated European community.

Revision Clause

The Convention on Relations contains an important revision clause which also applies to all the related conventions. Under this clause, the terms of the conventions shall be reviewed at the request of one of the four states in the event of German unification, the creation of a European federation, or any other occurrence which the four states jointly recognize to be of fundamental significance. The parties will then open negotiations with a view to modifying the conventions to the extent necessary to take into account the changes that have occurred in the situation.

A. SUMMARY OF THE DECLARATION OF THE FEDERAL GOVERNMENT ON MATERIAL AID TO BERLIN AND THREE POWER LETTER TO FEDERAL CHANCELLOR

Under the provisions of the convention on relations, the Federal Republic undertakes to provide continued material aid to Berlin. Because of Berlin's importance as a part of the free world and in view of the ties connecting the Federal Republic with Berlin, the Federal Republic desires to strengthen Berlin in all fields, particularly as regards improving the productive capacity and level of employment in Berlin. The declaration specifies the forms of aid which the Federal Republic will continue to extend to Berlin, including:

1. Financial aid to insure the maintenance of a balanced budget;
2. Equitable treatment in allocation of material in short supply;
3. A fair share in external aid received by the Federal Republic;
4. Assistance in developing foreign trade, as well as such favored treatment in trade matters as circumstances warrant;
5. Maintenance of an adequate money supply of deutschmarks (West) and of adequate stockpiles of supplies for emergencies;
6. Maintenance and improvement of trade and of communications and transport facilities between Berlin and the Federal Republic;
7. Inclusion of Berlin in international agreements concluded by the Federal Republic, wherever this is possible.

A letter sent to the Federal Chancellor by the three High Commissioners on behalf of their Governments expresses the desire of the Three Powers to assist in strengthening the bonds between the Federal Republic and Berlin, insofar as the present situation permits.

The letter states that the Three Powers are conscious of the need for Federal aid to Berlin and of the desirability that Berlin and the Federal Republic adopt similar policies. In view of this, the Three Powers assure the Federal authorities that they will exercise their rights in Berlin in such a way as to facilitate federal aid to Berlin, to permit representation of Berlin and of the Berlin population outside Berlin, and to encourage the adoption of similar policies in Berlin and the Federal Republic. In regard to the adoption of similar policies, the Three Powers will have no objection if Berlin adopts, in accordance with an appropriate procedure, the same legislation as that of the Federal Republic.

B. SUMMARY OF THE CHARTER OF THE ARBITRATION TRIBUNAL

The arbitration tribunal's composition and machinery are described in the charter annexed to the convention. All the provisions concerning this court are designed to secure absolute equality of treatment between the Three Powers and the Federal Republic. The tribunal is composed of nine members to be selected from the highest ranking judges and of the most eminent jurists. Three members will be appointed by the Federal Republic; each of the Three Powers will appoint one member, and the three others, called neutral members, will be appointed by agreement between the Three Powers and the Federal Republic. They must not be nationals of any of the four signatory states. These nine members will elect a neutral member president whose term of office is two years.

The tribunal will sit either in plenary session or in chambers of three members. Decisions are taken by majority vote. The tribunal must always be composed of an uneven number of members, including an equal number of the members appointed by the Three Powers and of those appointed by the Federal Republic. On the same principle, the chambers will be composed of one of the members appointed by the Three Powers, one appointed by the Federal Republic, and one neutral member.

The permanent seat of the tribunal will be within the Federal territory; the location will be fixed by subsequent administrative agreement.

The tribunal has jurisdiction over all disputes between the Three Powers and the Federal Republic arising from the application of the various conventions, which the parties have been unable to settle by negotiation. The only disputes excluded from its jurisdiction are those connected with the exercise of the special rights in regard to Berlin, all-German matters, and the stationing of troops, which are retained by the Three Powers. The tribunal will also resolve problems concerning the competence of certain judicial or administrative authorities provided for in the conventions. Only the Governments of the four signatory states may be parties before the tribunal. In rendering its decisions, the tribunal will apply the generally accepted rules of international law governing the interpretation of treaties.

The powers of the tribunal are very extensive. It may order a party that has taken legislative or administrative measures in the Federal territory inconsistent with the conventions to deprive such measures of effect or annul them if the party concerned fails to carry out the tribunal's decision. It may annul judicial decisions enforceable in the Federal territory if they violate the basic principles of the conventions. In general, if the unsuccessful party fails to take the steps called for by the tribunal's judgment, it may authorize the other party to take appropriate measures to remedy the situation in compliance with the judgment. It also has the power, before deciding on the merits of a case, to order such measures to preserve the status quo as it deems necessary. Its judgments are final and not subject to appeal.

The charter also establishes the rules for proceedings before the tribunal. Proceedings will consist of a written

part and an oral part and will closely follow the form of those before the International Court of Justice.

In addition to its judicial functions, the tribunal may, at the joint request of the Governments of the Federal Republic and of the Three Powers, issue advisory opinions on the correct application of the conventions.

III. Summary of the Convention on the Settlement of Matters Arising Out of the War and the Occupation

Many of these matters are covered only provisionally. Their settlement at this time was impossible because the Three Powers had no mandate to negotiate for or to bind the many other countries which were at war with Germany and which would naturally be entitled to participate in a final settlement. The Three Powers have acted so as not to prejudice the position of such countries at a final settlement.

Four Categories

The subjects dealt with in this convention fall into four main categories: First, questions which are normally handled in a peace treaty; second, questions which, although not normally found in a peace treaty, would, because of the particular situation obtaining in Germany, inevitably have been covered if one had been signed at this time (e. g. restitution to and compensation for victims of Nazi persecution); third, provisions for the orderly handover to the Federal Republic of important responsibilities and functions hitherto exercised by the Three Powers, such as civil aviation; fourth, of lesser importance, the provision, for a brief transitional period, of facilities for the Embassies of the Three Powers and their staffs, in order to ease acute accommodation difficulties.

Chapter 1—Position of Allied Legislation and Agreements

The main purpose of chapter 1 is to lay down principles governing rights and obligations flowing from Allied action during the occupational period. With this end in view, provisions are made for the continued validity of Allied legislation, subject to a right of the German authorities to amend it, repeal it, or deprive it of effect. This right is limited only where its exercise would prejudice the rights of the Three Powers under the convention on relations or where the contracting parties have otherwise agreed for some particular reason. There are also provisions for the continued validity of international agreements concluded by the Allied authorities on behalf of their respective zones, and of acts done within Germany by them.

Provision is made for the winding up of Occupation courts having criminal and civil jurisdictions, and for the continued validity of their judgments.

An important article deals with war criminals. The Three Powers had planned to hand over custody to the Federal Republic in the same way as was done in Japan. In addition, it was planned to set up a mixed board, with equal Allied and German participation, to consider the termination or reduction of sentence of the war criminals. Because of constitutional difficulties on the German side, custody could not be handed over to the Federal Republic now. The mixed board is to be set up and will begin work as soon as possible after entry into force of the convention. It will be seen that most of the provisions of chapter 1 are such as would normally be handled in a peace treaty.

Chapter 2—Deconcentration and Decartelization

The aim of this chapter is to insure effective decartelization legislation, deconcentration of the coal, iron and steel, and film industries, deconcentration of I. G. Farben in-

dustries, deconcentration of the Grossbanken, and the protection of persons who have taken advantage of Allied legislation which is now disappearing to establish themselves in a trade or profession but who do not have the qualifications which German law may in the future impose.

Much of the work in these fields is already complete. For example, 24 of the 28 contemplated new unit steel companies have already been formed. The Federal Government has many times declared its support for the program of deconcentration to destroy excessive concentrations of economic power.

Provisions of this sort are not normally found in a peace treaty. The necessity for them in the case of Germany arises from the fact that the excessive concentrations of economic power which formerly existed directly contributed to the growth and aggressive power of the Nazi regime.

Chapter 3—Restitution Inside Germany

The machinery for restituting identifiable property to victims of Nazi persecution, which has been established under Allied legislation, is preserved, but the existing Allied courts of appeal are replaced by a mixed court having equal German and Allied membership, and neutral members.

Chapter 4—Compensation for Victims of Nazi Persecution

The existing German machinery for compensating victims of Nazi persecution who have suffered the loss of unidentifiable property, imprisonment, or damage to life or limb, is preserved, and provision is made for its supplementation.

Chapter 5—Restitution Outside Germany

Chapter 5 deals with the restitution of property removed from other countries during the war by German occupation forces. In practice, much property which was readily identifiable has been returned already under Allied procedures. But there is a residual problem which is to be met by the establishment of a German agency to handle governmental claims, and of a procedure before the ordinary German courts for handling individuals' claims.

Chapter 6—Reparations and Former German Assets Abroad

The essence of the provisional solution found for the reparation problem is the preservation of the status quo pending a final settlement by the peace treaty between Germany and her former enemies or by earlier agreements. The maintenance in force of Control Council Law No. 5 (insofar as not already deprived of effect) and A. H. C. Law No. 63 was agreed upon. These laws regulate questions of title to property taken by way of reparation, and their disappearance without suitable replacement would have involved serious legal complication.

In respect to former German assets abroad, the Three Powers have wide responsibilities under international agreement, notably the agreement on reparations concluded with 13 other countries in Paris on January 14, 1946. Their responsibilities precluded the Three Powers from agreeing to an unlimited right of the Federal Republic to negotiate with other countries concerning foreign assets, but agreement was nevertheless reached permitting broad powers of negotiation.

Chapter 7—Status of Displaced Persons and Refugees

Provisions are made for a proper status for homeless foreigners and the admission and distribution of non-German political refugees. These are not normal peace-treaty provisions, but the situation existing in Germany after the last war, in this respect as in many others, was also not a normal one.

Chapter 8—German Determination To Settle Prewar External Debts

The question of Germany's prewar external debts has been under consideration for a year by the Debt Commission in London, on which the Federal Republic, the Three Powers, and other creditor nations of Germany are represented. In chapter 8, the Federal Republic reaffirms its determination to reach a settlement of these debts and agrees to take no action which could prejudice it, notably in the field of foreign exchange control.

Chapter 9

Waiver of Claims: A waiver by the defeated country, on behalf of itself and of its nationals, of all claims arising out of the war or out of any subsequent occupation period against former enemies or occupiers is another normal peace-treaty point. Such a waiver, subject to confirmation at a peace settlement, is given in chapter 9. In the course of the London Debt Conference, the Three Powers have notified the German representative that they are ready, if a general settlement of German external debts is reached, to forego more than two thousand million dollars worth of debt owed to them by the Federal Republic for postwar economic assistance to Germany.

Liquidation of JEIA: The chapter also provides that the Federal Republic will indemnify the Three Powers in respect of claims arising out of the operations of the former Joint Export-Import Agency. This agency was set up by the Three Powers to rehabilitate the foreign trade of Western Germany and has made an important contribution to the recovery of the German economy. An agreement, confirmed in this chapter, has already been concluded between the Federal Government and the Allied High Commission for the transfer to the Federal Republic of the assets of JEIA which are of substantial amount.

Chapter 10—Restoration of Foreign Property Rights

Chapter 10, referred to as the foreign interests chapter, provides to the greatest extent possible for the restoration of property rights and interests in the Federal territory to Germany's former enemies and their nationals wherever these rights were affected by the war. This principle is normal in peace treaties. To this end some legislation has had to be maintained in force. The more important of this legislation provides for the enjoyment now by United Nations patent holders of rights which, but for the war, they would have enjoyed earlier; for the regulation, pending a settlement of Germany's debts in London, of the position of certain foreign creditors; and for the prevention of hardship to foreigners in the incidence of agrarian reform legislation.

Partial Exemption from Lastenausgleich for U.N. Nationals: There are provisions of a normal peace treaty character for the exemption of U.N. nationals and their property from special levies or taxes designed to meet Germany's war burdens. In the case of the levies under the proposed *Lastenausgleich* [equalization of burdens] law, only a partial exemption is given because that law is intended partly to meet charges arising out of the war, and partly to deal with social inequalities in Germany. Thus U.N. nationals will be exempted from payment under the *Lastenausgleich* in the first 6 years out of 30, 3 of these 6 years being already past. Victims of Nazi persecution who are not U.N. nationals will get the 6-year exemption on the first DM 150,000 of property restituted to them, while German corporations controlled by U.N. nationals will enjoy the 6-year exemption, in proportion to the shareholding, if the U.N. shareholding is 85 percent or more.

Arbitral Commission: The contracting parties have followed peace treaty precedent by establishing an arbitral commission whose purpose will be to settle any disputes which may arise under the external restitution and foreign interests chapters of the convention. The commission has three members appointed by the Three

Powers, three by the Federal Republic, and three neutral members.

Chapter 11—Facilities for the Embassies

Provision is made for the continued enjoyment by the Three Powers of the use by their Embassies of certain buildings and other property now occupied by them. The Federal Government has agreed to their continued use because it wished to insure that the serious lack of accommodation in Germany generally, and in Bonn in particular, should not make impossible the establishment of British, French, and U. S. Embassies.

Chapter 12—Full German Control Over Civil Aviation

Provision is made for the assumption of full control over civil aviation by the Federal Republic. The chapter also contains an undertaking by the Three Powers to provide technical services to the Federal Republic on request during the initial period.

IV. Summary of the Convention on the Rights and Obligations of Foreign Forces and Their Members in the Federal Republic

This convention regulates the status of foreign forces which are to be stationed in the territory of the Federal Republic as a contribution to the common defense of Europe and of the free world. It covers all rights and obligations of the foreign forces, except for those set forth in the convention on relations (article II).

In basic purpose and content, this convention is similar to the normal convention on the stationing of troops which is concluded between sovereign states when one stations troops in the territory of another. Such an agreement provides for methods of identification of members of the forces, jurisdiction arrangements, measures enabling the forces to enforce their own discipline, arrangements for the crossing of frontiers by the forces, and related problems. (Analogous intergovernmental agreements have been drawn up to regulate the activities of the U.S. Air Force in Britain, the U.S. Forces in their Caribbean bases in British territory, and are also found in the NATO agreement about the stationing of forces by one participating country in the territory of another.)

Outside these fundamental similarities, the case of the Federal Republic is exceptional. For obvious geographical and political reasons, the Federal Republic is regarded as a forward, exposed, strategic area. It follows that the troops to be stationed in its territory will be abnormally numerous and diverse, and that they will be deployed in peacetime in positions, which, in certain eventualities, might early become the scene of military operations. Some special provisions have, therefore, had to be incorporated in the convention which do not appear in similar agreements. These provisions affect the sovereignty of the Federal Republic only in the same way as any freely negotiated treaty limits the freedom of action of the contracting states.

The convention is composed of 50 articles, divided into four groups:

- Part 1: General Provisions
- Part 2: Jurisdiction
- Part 3: Administration and Support
- Part 4: Transitional and Final Provisions

Supplementing these articles are two annexes relating to offenses against security and to radio frequencies. Following are summaries of some of the articles:

Forces To Consider German Interests

In an article applicable to the whole convention, the forces undertake, in utilizing the rights and immunities accorded to them, to give due consideration to German interests, taking into account particularly the capacity of

the German economy and the essential domestic and export requirements of the Federal Republic and West Berlin.

Logistic Support

Important provisions in part 3 cover the mechanics of day-to-day relations between the Federal Government and the foreign forces. To meet the defense needs of the forces, the Federal Republic will satisfy their requirements in accommodation, goods, materials and services, labor, public services, transport services, and communications. A joint supply board, made up of representatives of the Federal Republic and those of the Three Powers concerned, will be established. The Board will draw up agreed periodical programs for procurement of goods, materials, and services in the Federal territory, either directly by the authorities of the power concerned or by the German authorities. These programs, which will not include minor procurements, can be exceeded by an agreed margin. They will receive such preferential treatment as is necessary for the satisfactory fulfillment of the defense mission of the forces and can reasonably be reconciled with the essential civilian and defense needs of the Federal Republic. Goods purchased from funds provided by the Federal Republic may not be moved from the Federal territory, except those required for military purposes for the support of the forces, or military equipment which military units normally carry with them on moving.

Accommodation

The accommodation requirements of the forces will be fulfilled within the framework of agreed programs, and German law will form one basis of any requisitioning, which will be carried out by the German authorities, while the Three Powers will retain accommodation and property under their control at the effective date of the convention, privately owned accommodation and movable property now in use by the forces will be released as soon as the Federal authorities have provided acceptable alternatives. The forces will continually review their needs to keep accommodation requirements to the essential minimum. Special attention will be paid to the return of accommodation to private persons.

Privately owned dwellings will be released if they are not used by the forces for a period of 6 months. Requisitioned movable property will normally be released at the same time as the accommodation in which it is held, or earlier if no longer required by the forces. The German authorities will be consulted if new construction programs for the forces are necessary. Building projects financed from German defense contribution funds will in general be carried out by the German building authorities in conformity with German law and regulations.

German Labor Protected

Labor employed by the forces (normally through the German authorities) for defense needs will in general be subject to German labor law. German employees will be subject to all the obligations arising from membership of the Federal Republic in the European Defense Community. Their duties with the forces will be of a non-combatant character. To insure their full military effectiveness, the forces may continue to employ civilian service units composed of Germans for a maximum of 2 years after the effective date of the convention. Before the end of this period, an examination of this arrangement will be made to find the best method of replacing these units while avoiding a reduction of the strength and effectiveness of the forces. For the protection of their interests employees of the forces may set up works councils whose task will be to make suggestions and to present grievances or complaints to the appropriate authorities of the forces. Grievances unresolved after the works councils have been heard by these authorities will be the subject of discussion between the authorities on both sides.

Freedom of Movement

For military purposes the forces will have unrestricted freedom of movement in the Federal territory, except where the convention states otherwise, but deviations from the German traffic code will be allowed only in cases of military necessity. In view of the crowded conditions which may be expected to arise in the air space over the Federal territory, the Federal Republic and the Three Powers will form a standing commission to coordinate civil and military air activities. Arrangements for maneuvers, which the forces must, of course, be permitted to conduct in the Federal territory, will be made in consultation with the German authorities.

Observance of German Law

Provisions in part 2 operate on the principle that the members of the forces are obliged to observe German law, except where otherwise agreed, as is customary under a convention on the stationing of forces; troops will face military courts for criminal offenses, but German Courts will have jurisdiction over them in noncriminal proceedings. Members of the forces will, for example, thereby be liable to legal action for any future failure to maintain their children by German mothers. The authorities of the forces will give all possible assistance in enforcing judgments of German Courts and authorities in non-criminal proceedings. Arrest and search of troops will be the responsibility of the forces, except in cases of emergency, and then the offenders will be handed over by the German police to the forces. Private vehicles used by members of the forces must be insured in accordance with German law.

Security of the Forces

No Allied courts will have jurisdiction over Germans. In the provisions designed to safeguard the security of the forces, primary reliance is placed on the authority of the Federal Republic. However, since existing German law does not contain provisions completely covering the security of the forces, it has been agreed to amend the penal code to afford them the necessary protection in this field (annex A). The relevant provisions will be enforced by German Courts. In the same context, article 4 of part 1 foresees full cooperation between the German authorities and those of the forces to safeguard the security of the Federal Republic, the Three Powers, their forces stationed in Federal territory and their members and property. Cooperation will extend to the collection, exchange, and protection of the security of all pertinent information.

Taxation and Customs

Immunities accorded to the forces are based on a normal principle in international relations that one government does not tax another. Clearly, the Federal Republic would not wish to derive profits from the presence of the forces in its territory. Safeguards against violations by the forces and their members of the fiscal, customs, and import/export regulations of the Federal Republic are embedded in a series of specific and severe provisions. Setting out from the principle that the forces shall in general be subject to German customs legislation, they cover inter-alia cooperation between German customs officials and the forces, inspection at border crossing points, rationed goods supplied to the troops and legal action against offenders.

Radio Frequencies

Annex B will bring operation of the radio communications and broadcasting stations of the forces into conformity with prevailing international agreements and will establish a frequency committee with equal representation (and including a representative of the EDC), under rotating chairmanship. The committee will concern itself with the allocation and coordination of frequencies and

other technical matters relating to the radio stations of the forces.

Reference to Arbitration Tribunal

All disputes between the Federal Government and the Three Powers which arise out of this convention may be submitted to the arbitration tribunal, except (1) where the convention provides for other arbitral machinery (e. g. in the case of extraditions), and (2) where its provisions exclude arbitration (e. g. in regard to certain actions which may be necessary in advance of a grave emergency).

Relationship to EDC and Review

This convention and the EDC treaty will in no way prejudice each other. Any conflicts between their respective provisions will be settled between the contracting parties to both treaties.

Review of this convention may take place at the request of one of the signatories when 2 years have elapsed after its effective date.

Other Provisions

In addition to the main provisions, the convention contains a number of articles on connected matters, among them the following:

The forces undertake to apply public health and safety standards at least equal to those in the appropriate German regulations. (Article 21).

Fulllest cooperation between the German authorities and the forces will be the rule on all questions affecting health and sanitation. (Article 30).

It is agreed, with due constitutional safeguards, that in proceedings before courts of the Federal Republic or the forces, disclosure will not be permitted of German state or official secrets nor of any information which might prejudice the security of the forces, except with the consent of the authorities concerned. (Article 15).

The forces have agreed to relinquish their present requisitioned hunting and fishing rights one month after this convention comes into force. However, the Federal Government will assist the forces in obtaining hunting and fishing facilities for recreational purposes. Members of the forces will conform to German seasonal laws, use the services of licensed hunters and pay regulation fees. In return for fishing privileges the forces will assume a fair share of the restocking programs of the respective *Laender* authorities.

V. Summary of the Finance Convention

The convention:

States the obligations of the German Federal Republic to make a continuing contribution to Western defense comparable to the contributions of other participants;

Establishes the availability, until June 30, 1952, (end of NATO fiscal year), of a portion of that contribution to assist in meeting the costs of foreign forces in the Federal Republic;

Governs the use of that portion of the German contribution;

Specifies facilities and services to be made available without charge to the foreign forces;

Provides for a mutual waiver of damage claims between each of the governments of the Three Powers and the Federal Government and establishes procedures for settling private claims for damage arising from the activities of the foreign forces;

Establishes a basis for payment for accommodation, goods, and services provided for the foreign forces;

Provides for the possible establishment of a joint capital construction budget to cover construction requirements for both German EDC contingents and foreign forces;

Provides for the gradual transition of the French, Belgian, and Luxembourg forces in the Federal Republic to the status of European Defense Community forces.

Level of Contribution

The Federal Republic agrees to make an annual contribution to Western defense comparable to that of other Western countries on the basis of NATO criteria.² This will be done by making a financial contribution to the European Defense Community and by assisting in the support of foreign forces stationed in the Federal Republic other than EDC forces.

From the effective date on the Contractual Agreements until June 30, 1953, this contribution shall be at the rate of DM 850 million per month. After that date, the contribution will be determined under the same principles and procedures and by use of the same NATO criteria which apply to the defense expenditures of other countries participating in Western defense.

Division of the Contribution

For the first 6 months after the effective date of the Contractual Agreements, an average share of DM 551 million of the sum of DM 850 million will be used to assist in the support of foreign forces stationed in the Federal Republic. For the next three months, an average of DM 319 million will be used for such support.

The division of the contribution between German EDC contingents and foreign forces reflects the build-up of German EDC contingents by an increase in the share for these contingents. The division of the contribution has been made in such a way as to meet the increasing requirements of the German contingents in accordance with a build-up schedule determined by SHAPE.

The question of what portion of the German financial contribution to be made after June 30, 1953, will be used to assist in the support of non-EDC forces in Germany is left to be settled in later negotiations.

Division of the share allotted to foreign forces before June 30, 1953, will be made by the Governments of the United States, the United Kingdom, and France, after consultation with the Federal Government. This sum will neither be an obligation of EDC nor be subject to its control.

Use of Funds

The Three Powers undertake to hold defense expenditures from DM support funds to the minimum compatible with military efficiency and to utilize the funds efficiently and economically.

Free Facilities and Services

The Federal Republic agrees that the foreign forces shall enjoy without charge a number of services such as use of German public agencies, roads and bridges, police, public health and fire protection. Military aircraft may use free of charge the civil airfields owned by the Federal Republic. These arrangements are similar to those applied by all NATO member countries.

Where, however, services are of a special character, payments may be agreed upon.

²For the recommendations of the NATO Temporary Council Committee regarding German defense expenditures, see BULLETIN of Mar. 17, 1952, p. 423.

Damage Claims

Each of the Three Powers and the Federal Republic waive claims for damage to governmental property caused by persons in the service of the other.

German agencies and agencies of the forces of the Three Powers will cooperate in a jointly agreed procedure for handling private damage claims against the forces arising after the entry into force of the convention. Claims against the Allied forces arising before the entry into force of the convention are to be settled by the Federal Republic.

Payments for Accommodation, Goods, and Services

The convention provides that the foreign forces will pay the prevailing prices, rates, and rentals in the Federal Republic. However, in those cases where any military users, such as EDC contingents, receive deductions or price benefits, those deductions or benefits are to be granted to all of the foreign forces.

In some special fields, such as labor, requisitioning, transport and communications, rates will be determined by agreement between the Federal Government and the foreign forces or by Federal legislation.

Receipts From Disposal of Property

The convention establishes procedures for the disposal of property no longer needed by the forces. In general, receipts from the disposal of property purchases with funds from occupations cost budgets will accrue to the Federal Government.

Procedural Provisions

A joint Three Power German coordinating committee is established to assist in settling any difficulties arising in the implementation of the convention.

Review of the terms of the convention may be initiated by any signatory.

Subsidiary administrative agreements may be concluded to implement the convention.

Transitional Provisions

To allow for the transition in status of French, Belgian, and Luxembourg forces stationed in the Federal Republic to the status of EDC forces, the convention provides that these forces shall have the same status as other foreign forces until June 30, 1953 (end of NATO year).

VI. Summary of Letters Forming Part of the Contractual Agreements

1. Control Council Legislation

A letter from the three Foreign Ministers to the Federal Chancellor says that, in accordance with article 2 of the convention on relations which specifies their rights in relation to Berlin and to Germany as a whole, they will require certain control council legislation not to be deprived of effect in the Federal territory. A letter from the Federal Chancellor to the Foreign Ministers states the opinion of the Federal Government that the control council legislation mentioned above are internal matters of the control council and cannot be the subject of German legislative authority.

2. Taxes on Successor Organizations

In an exchange of letters with the Foreign Ministers, the Chancellor confirms that the Federal Government will settle all claims for taxes or levies imposed by *Laender* or local authorities on successor organizations and trust corporations set up to represent claimants for internal restitution.

3. Validity of International Agreements

An exchange of letters between the High Commissioners and the Federal Chancellor concerns the continuing appli-

cability and validity of international agreements concluded on behalf of the three Western zones by the Occupation authorities. With the High Commissioners' letter is a list of these treaties and agreements.

A reply from the Federal Chancellor recognizes the continuing validity of these treaties and the Federal Republic's obligation to implement them.

4. Status of the Saar

In this connection, the Chancellor declares and the High Commissioners confirm the agreement of their Governments that the inclusion in the list of certain treaties and agreements referring to the Saar does not constitute recognition by the Federal Republic of the present status of the Saar.

5. Exercise of Reserved Rights

A letter to the Federal Chancellor from the three High Commissioners on behalf of their Governments emphasizes that the exercise by the Three Powers of their rights concerning Germany as a whole does not adversely affect the relations established by the conventions generally. Further, the exercise of these rights does not permit the Three Powers to derogate from their undertakings.

6. Radio Frequencies

Letters from the Federal Chancellor to each of the High Commissioners confirm that the Federal Republic will apply the principles of the International Telecommunications Convention of 1947 so as to avoid harmful interference with the radio services or communications of the Three Powers which operate on frequencies allotted under the agreement of Copenhagen of 1948.

7. Private Prewar Obligations

A letter from the Federal Chancellor to the three High Commissioners invites them to inform their Governments that the Federal Government is prepared to negotiate a multilateral agreement with other governments for the settlement of questions regarding private prewar obligations and contracts and acquired rights. The Federal Government considers that in the field of insurance and reinsurance bilateral discussions with other governments are appropriate.

VII. Special Arrangements for the Entry Into Force of Parts of the Contractual Agreements

During the discussions leading up to signature of the conventions, the Federal Chancellor raised the question whether some provisions of the conventions might be put into effect before the time provided for in the conventions themselves.

The three Foreign Ministers have informed the Chancellor, in a letter published with the conventions, that when the conventions have been ratified by all the parties to them, the three Governments will be prepared, if there is any undue delay on the part of other Powers in ratifying the EDC treaty, to hold a meeting with the Federal Government to consider and to determine whether arrangements may be made to put some of the provisions contained in the conventions into effect prior to the entry into force of the conventions.

DECLARATION ON BERLIN ISSUED BY ALLIED KOMMANDATURA

The Allied Kommandatura in Berlin on May 26 issued a declaration on Berlin which is to replace the statement of principles governing the relationship between the Allied Kommandatura and Greater Berlin of May 14, 1949.³

³ For text of the 1949 Statement, see *Germany 1947-1949: The Story in Documents*, Department of State publication 3556, p. 324.

The declaration is to take effect on the effective date of the Contractual Agreements. It is not a part of the agreements, but, taking into consideration the new relationship to be established between the Three Powers and the Federal Republic, it grants to the Berlin authorities the maximum liberty compatible with the special situation of Berlin.

Rights in respect to Berlin are listed in the convention on general relations among those rights retained by the Three Powers. The Three Powers must retain supreme authority in Berlin because international agreements to which they are parties require it.

They cannot relinquish this authority without jeopardizing their right to be in Berlin, a right which is clearly in the interests of free Berlin, the Federal Republic, and the Three Powers alike.

The declaration makes clear, however, that the Three Powers will exercise their authority so as to cause the least possible interference with the Berlin authorities. The Allied Kommandatura will raise no objection to the adoption by Berlin under an appropriate procedure of the same legislation as that of the Federal Republic, provided the adoption of such legislation does not affect the responsibilities of the Three Powers in Berlin. Moreover, in a number of fields covered in the Federal Republic by provisions of the Contractual Arrangements, Allied authorities in Berlin will in future intervene only to an extent consistent with the principles of the Contractual Arrangements or with Allied legislation in Berlin. These fields include restitution, reparations, decartelization, deconcentration, foreign interests, displaced persons and refugees, and prisoners sentenced by Allied courts.

Treaty Establishing European Defense Community Signed

The Foreign Ministers of six European nations—Belgium, France, Germany, Italy, Luxembourg, and the Netherlands—signed the treaty establishing the European Defense Community on May 27 at Paris.¹ This treaty creates a defense force consisting of contingents which member states will put at the disposition of the community. It provides that aggression against any of the member states will be considered aggression against them all.

A protocol to the North Atlantic Treaty (NAT), signed on the same occasion, extends to members of the European Defense Community (EDC) the assurances that the member states of NAT will consider an attack on the European territory of any of the EDC states, or on any of their forces when in the area described in Article VI (2) of NAT, as an attack against all the Parties to NAT, and that they will take action accordingly within the meaning of Article V of NAT, i. e., each will take such action as it deems necessary. Secretary Acheson signed the protocol on behalf of the United States. A Declaration emphasizing the concern of the United States, the United Kingdom and France with the integrity of the EDC as now constituted was signed by Secretary Acheson, British Foreign Secretary Anthony Eden, and French Foreign Minister Robert Schuman.

Following are Secretary Acheson's statement at the signing of the protocol to the North Atlantic Treaty, the text of the protocol, and the text of the U.S.-U.K.-French Declaration.

¹ See footnote 1, p. 888.

STATEMENT BY SECRETARY ACHESON

[Released to the press May 28]

I wish to express my profound conviction that what we have witnessed today may well prove to be one of the most important and most far reaching events of our lifetime.

The full significance of the events that have taken place here today can be best appraised by the statesmen and the people of Europe, whose imagination and vision conceived the idea of the European Defense Community, and who have worked so tirelessly and devotedly to make this concept a living entity.

We have seen the beginning of the realization of an ancient dream—the unity of the free peoples of Western Europe. I believe the continuation and completion of this movement toward unity will offer the richest of rewards to the people of Europe and to free human beings everywhere.

The principal immediate purpose of the European Defense Community is to give the peoples of Europe more adequate protection against the threat of aggression. In this sense it is a part of a broader effort undertaken by the entire North Atlantic community to create the defensive strength we need to assure peace and security to ourselves and to our children. All of us realize the importance of this undertaking, because without adequate defensive strength there is little hope that we can achieve the other good things of life that we are seeking.

It is for this reason that we have labored and sacrificed—that we have temporarily given up many things that we want and need. But, however vital defense may be at this time, the true meaning of the European Defense Community extends far beyond the field of defense.

It is a part of a many-threaded pattern of ideas and actions which is changing the entire fabric of European society. Together with the Schuman Plan and other steps toward European integration, the European Defense Community foreshadows enormous political, social, and economic benefits which will be felt by every European citizen. The events we have witnessed are full of meaning for individual men and women.

Sooner or later, directly or indirectly, the movement toward a new Europe will make itself felt in a greater fulfillment of human wants and aspirations.

From the point of view of the individual, these actions will translate themselves into a more plentiful supply of food to eat, of clothes to wear, and of houses to live in.

The widening horizons of existence will make more secure the conditions under which one may speak his thoughts without fear, worship God after his own manner, and freely select the men who govern him. Here is the setting in which full advantage may be gained from the cultural wealth which religion, education, art, and science have made available to mankind. And here, finally, are the conditions that will enable this generation to create a heritage for the next that will be full of promise and hope.

In unity, the people of our age can find greatly increased opportunities for doing all these things. By burying political rivalries and fears they can devote their political and social efforts more completely to the promotion of justice and human well-being. By combining their physical and spiritual assets they can achieve and maintain the strength which, in the modern world, offers the only assurance of peace and progress.

While the principal benefits of the movement toward unity will rightly accrue to the European peoples concerned, my own country and many other countries will be profoundly affected.

American interests are directly involved in the creation, growth, and survival of the European Defense Community.

Our concern goes deeper than the program of collective security in which we are engaged. It is founded upon the basic, immutable realities of modern international life—upon the enduring interests which the people of Europe share with the people of North America. We know that neither people can be assured of peace, security, or prosperity unless the other is peaceful, safe, and prosperous.

We know that closer bonds among the nations of Europe will help immeasurably to strengthen the bonds which hold together the entire Atlantic

community, and to enhance the cooperation of human beings everywhere.

I believe we are standing on the threshold of a new Europe and a new world. I believe that the farsighted statesmen of Belgium, France, Germany, Italy, Luxembourg, and the Netherlands have laid the foundations for a new period of democratic growth which will shelter the development of individual liberty, social justice, and economic progress for generations to come.

[Released to the press May 27]

PROTOCOL TO THE NORTH ATLANTIC TREATY

The Parties to the North Atlantic Treaty, signed at Washington on April 4, 1949.

Being satisfied that the creation of the European Defense Community set up under the Treaty signed at Paris on May 27, 1952, will strengthen the North Atlantic Community and the integrated defense of the North Atlantic area, and promote the closer association of the countries of Western Europe, and

Considering that the parties to the treaty setting up the European Defense Community have signed a protocol, which will enter into force at the same time as the present protocol, giving to the parties to the North Atlantic Treaty guarantees equivalent to the guarantees contained in Article 5 of the North Atlantic Treaty,

Agree as follows:

ARTICLE I

An armed attack

(i) on the territory of any member of the European Defense Community in Europe or in the area described in Article 6 (i) of the North Atlantic Treaty, or

(ii) on the forces, vessels or aircraft of the European Defense Community when in the area described in Article 6 (ii) of the said Treaty, shall be considered an attack against all the Parties to the North Atlantic Treaty, within the meaning of Article 5 of the said Treaty, and Article 5 shall apply accordingly.

The expression "member of the European Defense Community" in paragraph (i) of this Article means any of the following states which is a member of the European Defense Community, namely Belgium, France, German Federal Republic, Italy, Luxembourg and the Netherlands.

ARTICLE II

The present Protocol shall enter into force as soon as each of the Parties has notified the Government of the United States of America of its acceptance, and the Council of European Defense Community has notified the North Atlantic Council of the entry into force of the Treaty setting up the European Defense Community. The Government of the United States of America shall inform all the Parties to the North Atlantic Treaty of the date of the receipt of each such notification and of the date of the entry into force of the present Protocol.

ARTICLE III

This Protocol shall remain in force for so long as the North Atlantic Treaty and the Treaty signed at Paris on May 27, 1952 setting up the European Defense Community remain in force, and the parties to the latter treaty continue to give in respect of themselves and the European Defense Forces guarantees to the parties to the North Atlantic Treaty equivalent to the guarantees contained in the present Protocol.

ARTICLE IV

The present Protocol, of which the English and French texts are equally authentic, shall be deposited in the Archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of all the Parties to the North Atlantic Treaty and of all the Parties to the Treaty establishing the European Defense Community.

In witness whereof, the undersigned plenipotentiaries have signed the present Protocol. (Representatives of the 14 NAT countries).

Done at Paris the 27th day of May 1952.

TRIPARTITE DECLARATION

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and France have signed conventions with the German Federal Republic which will establish a new relationship with that country. These conventions, as well as the treaties for a European Defense Community and a European coal and steel community, of which France is a signatory, provide a new basis for uniting Europe and for the realization of Germany's partnership in the European community. They are designed to prevent the resurgence of former tensions and conflicts among the free nations of Europe and any future revival of aggressive militarism. They make possible the removal of the special restraints hitherto imposed on the Federal Republic of Germany and permit its participation as an equal partner in Western defense.

These conventions and treaties respond to the desire to provide by united efforts for the prosperity and security of Western Europe. The Governments of the United States and the United Kingdom consider that the establishment and development of these institutions of the European community correspond to their own basic interests and will therefore lend them every possible co-operation and support.

Moreover, Western defense is a common enterprise in which the Governments of the United States and the United Kingdom are already partners through membership of the North Atlantic Treaty Organization.

These bonds are now strengthened by the system of reciprocal guarantees agreed to between the member states of the European Defense Community, between these member states and the United Kingdom and also between these member states and the member states of the North Atlantic Treaty Organization.

For these various reasons, including the fact that these new guarantees will apply to the states concerned only as members of one or the other of these organizations, the Governments of the United States and the United Kingdom have an abiding interest, as has the Government of France, in the effectiveness of the treaty creating the European Defense Community and in the strength and integrity of that community. Accordingly, if any action from whatever quarter threatens the integrity or unity of the community, the two Governments will regard this as a threat to their own security. They will act in accordance with Article 4 of the North Atlantic Treaty. Moreover, they have each expressed their resolve to station such forces on the continent of Europe, including the Federal Republic of Germany, as they deem necessary and appropriate to contribute to the joint defense of the North Atlantic Treaty area, having regard to their obligations under the North Atlantic Treaty, their interest in the integrity of the European Defense Community, and their special responsibilities in Germany.

The security and welfare of Berlin and the maintenance of the position of the Three Powers there are regarded by the Three Powers as essential elements of the peace of the free world in the present international situa-

tion. Accordingly they will maintain armed forces within the territory of Berlin as long as their responsibilities require it. They therefore reaffirm that they will treat any attack against Berlin from any quarter as an attack upon their forces and themselves.

These new security guarantees supersede the assurances contained in the declaration of the Foreign Ministers of the United Kingdom, the United States, and France at New York on September 19, 1950.

Loan to Belgium To Expand Imports From the United States

On May 21 the directors of the Export-Import Bank at Washington announced the successful completion of a loan of 50 million dollars to the Kingdom of Belgium.

On that date, thirty-four U.S. commercial banks purchased at par, through the National Bank of Belgium, promissory notes unconditionally endorsed by the National Bank of Belgium in the amount of 45 million dollars. The balance of 5 million dollars was taken by the Export-Import Bank in compliance with the conditions of the offer to the commercial banks.

This transaction put into effect an agreement entered into between the Export-Import Bank at Washington and the Kingdom of Belgium on May 6, 1952, extending the 50 million dollar credit with the condition that participation in it by commercial banks and trust companies in the United States would be permitted. This participation is unqualified and without recourse on the Export-Import Bank.

The loan was closed at the Federal Reserve Bank in New York City on May 21. Those present included Baron Silvercruys, the Ambassador of Belgium to the United States, Thomas Basy, of the National Bank of Belgium, and Jacques de Thier, Consul General of Belgium in New York, together with representatives of the attached list of U.S. banks.¹

The notes bear interest at the rate of four percent per annum, and payments are to be made semiannually beginning June 15, 1953, and ending December 15, 1957.

The loan was sought by the Belgian Government to permit the expansion of imports of materials and equipment from the United States.

Although the amount of commercial bank participation was 45 million dollars, Herbert E. Gaston, Chairman of the Board of Directors of the Export-Import Bank, said that subscriptions offered through the Federal Reserve Banks by commercial banks throughout the United States had been greatly in excess of this sum, so that a radical scaling down of allotments was necessary.

¹ Not printed here.

Trade Expansion: A Vital Element In Achievement of World Peace

by Harold F. Linder

*Deputy Assistant Secretary for Economic Affairs*¹

My job in the State Department is to work on the economic aspects of our foreign policy. Let me first point out that the economic elements of our foreign policy are intimately interwoven with our political and security objectives. We are engaged in a profound and demanding struggle to build and deepen the strength of the free world. The implacable enmity of the Kremlin toward human freedom and liberty, toward the way of life we and our friends hold dear, cannot be met by words alone. Deeds count. To build our common defense, to build security for the future, to build genuine economic and social progress—these are the aims of this Nation and our free-world partners.

These are tasks that cannot be accomplished overnight. There is no wonder drug or magic formula that can speed our common defense. Nor is there a single policy we can follow. To achieve the decent world we believe in and in which we can be secure requires patient, concerted effort on the political, military, economic, social, and psychological fronts. Our vigorous leadership must be accompanied by staying power and a willingness consistently to see the job through. This road has no short cuts.

The interrelationship between the various aspects of our foreign policy is self-evident to you. It is in this context that I want to discuss one important aspect of our policy—the expansion of trade. We have learned in our own national experience in this country that the absence of barriers to trade between the various States and increased productivity have made a major con-

tribution to our own national prosperity and well-being.

Prosperity in Texas is dependent both on national and international markets for Texas-produced goods. And Texas, in turn, by buying the products of other States of the Union and other nations makes it possible for trade to flourish.

Before I arrived in Dallas I spent some time looking into the interests of Texas in international trade. The facts reveal that your prosperity depends importantly on your participation in world commerce. Let's look at your imports from other countries for a moment. Practically every important industry in Texas is dependent on imports for at least some of its essential raw materials. Your tin smelter at Texas City, your oil field and oil refining machinery, tractors and farm machinery, electrical machinery, transportation equipment, fabricated metal products—all these and other industries could not operate without foreign raw materials.

Prosperity Depends on World Commerce

You have a broad interest in exports. As a Nation, our export of agricultural commodities was valued at more than 2.7 billion dollars in 1949. Estimates show that Texas exports of such commodities have been running well over 300 million dollars a year in recent years. How important our exports are to American farmers is clear when you realize that one out of every three bales of cotton picked, nearly one out of every two pounds of rice harvested, one out of every two bushels of wheat we grow is sold abroad. Here in Texas that export trade affects a great many people. About half your farms grow cotton, for example, and about a third produce grains.

¹ Address made before a joint meeting of the Dallas Council on World Affairs, the Dallas Chamber of Commerce, and the Export-Import Club at Dallas, Tex., in observance of World Trade Week, on May 23 and released to the press on the same date.

I could present you with a great many more statistics, all of which would reinforce the self-evident point I have been making: that Texas is important in our international trade and that this international trade is important to Texas.

What is true of Texas is true of the Nation as a whole. Today we are an exporting Nation. It is hard for many of us to get used to the idea that large sectors of our economy rely on export trade to provide the margin that means the difference between profit and loss. Not only have our agricultural commodities moved heavily into export, as I have just pointed out, but our manufacturing industries likewise have large foreign markets. Such American-manufactured goods as machine tools, motor cars, plastics, carbon black, and many others—all move extensively into foreign markets. Most U.S. producers, whether on farms or in factories, have an interest one way or another in the export market.

Our overseas economic interests are not confined to trade. Today the United States is the largest creditor Nation in the world. Private investors hold foreign securities. Many of our corporations have foreign branches or subsidiaries and the Federal Government itself is a large foreign creditor. U.S. private capital invested directly abroad in enterprises wholly or partially American-owned increased last year to a point exceeding 14 billion dollars. Foreign obligations to agencies of the U.S. Government as of today exceed 10 billion dollars. These investments and obligations not only bear interest but the principal amounts must be repaid to us at varying dates in the future. And a creditor can only be a successful creditor when the debtor is able to meet his obligations on time and in full.

Added to all this we have large domestic investments in our American merchant marine, in banks from coast to coast that service our foreign trade, in insurance companies which provide coverage for our cargoes, and in American industries producing goods going into foreign commerce. The stake of the United States in world trade, it is quite evident, has grown to a point where it represents a very essential part of our country's business and economic life. In 1951 our total exports and imports amounted to some 26 billion dollars with an additional 9 billion dollars accruing from shipping, services, and similar items. International trade represents important business for American labor, agriculture, industry, and finance.

Since 1919 our exports have exceeded our imports by some 80 billion dollars. Last year alone we sent abroad 4 billion dollars more in goods than we received in goods. Looking at the statistics, some people might say, "Isn't that just fine! Since business looks so favorable to us, let's increase our exports. Let's sell more abroad." But that's where we come up against an economic fact of life that cannot be ignored. We expect foreign pur-

chasers who buy our goods to pay for them in dollars or in gold. We are not willing, ordinarily, to accept pesos, escudos, francs, lira, or any other foreign currencies in payment, many of which—because of the world dollar shortage—are not freely convertible into dollars. This poses a basic question: How can other countries obtain the dollars they need to purchase the American products they want to buy, and—more important from the viewpoint of our own self-interest—which we want to sell?

Over the last three decades other nations haven't been able to earn needed dollars by the sale of goods to us. In the past we have kept the accounts balanced in a variety of ways. In addition to imports, we have bought foreign securities, we have accepted gold, we have given foreign aid, and we have spent dollars abroad as tourists. For the future, however, some of these courses are no longer available to balance the accounts. Many countries have run out of their gold and their credit. Foreign aid cannot go on forever. And countries want to "pay their own way." As a result, it seems to me we face three policy alternatives: first, we can reduce our exports to meet our present level of imports and can accept default on payments on loans we have made; or second, we can meet the "dollar gap" by making grants to other nations from public funds; or third, we can take our payment for goods we sell and loans and investments we make, in the form of imports of goods and services.

To my mind, this alternative is the only acceptable solution.

Expansionism vs. Restrictionism

Those of you who recall the period of the 1930's prior to the adoption of the Reciprocal Trade Agreements Act can appreciate why I support the third alternative. Successive tariff acts had raised U.S. tariff rates so high that this market was virtually closed to many foreign products without regard to the interests of other countries, of American producers for export, of American consumers, and of the Nation as a whole. On the international front the early thirties represented a period of cutthroat trade warfare in which high and rising tariffs, quotas, exchange controls, discriminations, and every conceivable device of waging trade warfare, were put into effect. Everybody suffered, and nobody benefited. Since 1934, when Secretary of State Cordell Hull proposed and Congress enacted the Reciprocal Trade Agreements program, American policy has been devoted to expansion of trade and opposed to trade restrictions.

After the war, we and the other nations recognized that any return to conditions of the early thirties would undermine and destroy the cooperation on which the strength of the free world and

peace could be built. Of course, it was recognized that you couldn't get rid of all existing restrictions overnight—nor, on the other hand, could you permit restrictionism to be the dominant theme in the international trade policy of the free nations. Expansionism—not restrictionism—is the key to national and international economic progress and prosperity.

Accordingly, we focused our efforts on achieving several important economic objectives. First, we recognized that it was important to get the economic machinery of nations going again. This effort we assisted through grants and loans of public funds. Second, we recognized that if production were to be effectively increased, it was absolutely essential to reduce the restrictions on and barriers to trade between nations. So in 1947 we joined in negotiating the General Agreement on Tariffs and Trade, to which 34 nations are parties. The purpose of this important agreement was to provide for orderly and effective reduction of trade barriers by nations and to provide a forum in which the nations could work out cooperatively solutions to questions in dispute.

One basic tenet of our thinking on expanding trade is to reduce red tape and Government interference as much as possible. As a businessman, and as an official of our Government, I believe that this is vitally important. I would like to point out that the Reciprocal Trade Agreements program is based on this premise: that by the elimination of barriers to trade, a climate is established in which free enterprise, initiative, and competition in international trade can flourish.

In the abnormal years of the last decade, there has been an increased demand for American production abroad. The war and its aftermath likewise meant that many countries who traditionally sold in the American market were not in a position to produce goods for export. In brief, the result has been the great expansion of our export market, which I mentioned earlier, and a kind of automatic protection for domestic producers from foreign goods selling in the American market.

It is against this background that the growing demand for restrictionism in the United States poses very grave questions. Our aid programs have rested on the assumption that eventually free nations in the world, receiving aid, would become self-sustaining. These countries have assumed that, as they rebuilt their economic strength and were in a position to export, the United States would not interpose obstacles to their selling enough in the American market to earn the dollars they need to support themselves. Moreover our constant pressure to increase productivity, to help nations get on a pay-as-you-go basis and to encourage the practice of free-enterprise principles has had increasing influence. Consequently, other countries view with alarm the indications of increasing American unwillingness to accept imports. Ten nations, for example, have protested

section 104 of the Defense Production Act, which requires the Secretary of Agriculture to restrict or prohibit imports of certain fats and oils, rice and rice products, peanuts, cheese, and certain other dairy products.

Protection Demands Increase

The increasing number of requests for escape-clause action under the Reciprocal Trade Agreements program which have been brought before the U.S. Tariff Commission, and talk about the urgent need for "protecting the American producer" cause grave concern. Applications for escape-clause action cover such varied items as wood screws, tobacco pipe bowls, glacé cherries, woodwind musical instruments and parts, spring clothespins, dried figs, estrogenic compound, and so on. Every industry has the right and privilege of seeking protection. But I believe that the decision on whether or not we should accede to the requests of these industries should be based upon consideration of the national interests of the United States. The question is whether we will, in effect, adopt a program of restricting imports whenever they begin to increase even slightly. If we do this, and other countries follow the same pattern, as they are more than likely to do, then trade expansion is a dead duck.

Indicative of the concern of friendly countries about this trend is the note this Government received from the British Government in April.² In the note the British Government indicated their concern that if they were unable to earn the dollars they need to buy products required for the joint defense effort, through selling goods in the American market, there might be serious repercussions on the ability of the British to support the level of defense which the United States has urged.

If the joint defense effort is to be strong enough to stem Communist pressure, it must be built on a solid foundation of strong, independent nations acting together. This requires cooperative action and strong leadership. However when inconsistencies show up in our own policies, our leadership is weakened. We cannot throw up trade barriers here while at the same time we urge the development of a close economic and political partnership in the North Atlantic community. To other free countries that kind of inconsistency just doesn't make sense. It undermines the basis on which our position of leadership rests by raising fundamental doubts in the minds of other free peoples as to our sense of responsibility and the nature of our goals.

Take Europe for example. We have sought in Western Europe to encourage increased productivity, secure the best utilization of resources, and

² BULLETIN of May 12, 1952, p. 737.

to see the skilled manpower of these countries employed most effectively. And if productivity were the measure, and rearmament necessities had not intervened, it would be fair to say that we and our friends had been very successful. Should the United States, which has led in urging the building of a strong unified economic, political, and military effort among the nations of the free world revert to a restrictive trade policy, Europeans would be convinced that, rather than take the measures we are urging, they themselves should increase restrictions on trade.

Trade Problems of Other Countries

To pursue a policy of restrictionism in international trade among the free nations would be like driving backward into the confusion and trade conflict of the thirties, which we abandoned because it almost destroyed us and our friends. Surely we have learned from this bitter experience that trade expansionism is the path forward toward genuine economic strength and well-being.

Restrictionism in free-world trade imperils a number of our fundamental objectives. Take for instance our program of controls over trade with the Soviet bloc. As part of the free-world's defense system, the free-world nations since 1949 have cooperated in embargoing or restricting such trade with the Soviet bloc as would contribute to building up its military potential.

This has not been an easy step for Western Europe. Historically, the industrial nations of Western Europe have traded extensively with Eastern Europe. Some depend to a significant degree on this trade, particularly for important quantities of food, fuel, and lumber. Besides raw materials, these nations also need markets for the goods they produce, which are not of primary strategic importance.

In the case of Norway, the Soviet bloc represents a market for about 80 percent of her exports of salted and frozen herring. In 1951, Italy's rayon exports to the Soviet bloc exceeded 4 million dollars, or 8 percent of her total rayon shipments abroad. If the United States increases restrictions on the flow of imports into our own country, pressures will be increased on Western European countries to trade with the Soviet bloc. In a recent note to the U.S. Government, the Italian Government observed that the imposition by us of restrictive trade measures (and I quote):

... plays directly into the hands of that vocal minority of opinion which is swayed by Communist propaganda in Europe. As it is known, the Communists noisily press their line that the Marshall Plan and other aid programs are not really meant to bring about the economic emancipation of Western Europe but to perpetuate their dependence on American bounty, and that American aid programs are calculated to find additional outlets for domestic production, while barring the door to foreign products. The result is that a state of confusion and

doubt is generated in the minds of some people—which is sedulously exploited by the Communist minority for its own ends . . .

Or take the case of Japan, which has been co-operating on security controls on trade with Communist China. The pressure for renewing traditional trade with China is strong. If alternative markets are not available, it will grow stronger. By restricting Japan's exports to our own markets, we would make the situation more difficult. Pressures might also be created for U.S. dollar aid to offset the loss of dollars which Japan is now earning through selling her products to the U.S. consumer.

The Soviet ballyhoo at the Moscow Economic Conference in April tried to create confusion in the minds of the peoples of the free world by alleging that the Soviet bloc was interested in expanding its trade with the free world. The fact is, of course, that the long-run aim of the Soviet Union is and always has been to increase its self-sufficiency. For the Soviet bloc, trade is simply another weapon in the Cold War with the free world. The Kremlin-dominated Soviet bloc never has been willing to cooperate in any of the free-world's efforts genuinely to reduce restrictions on trade and to expand it.

If you are convinced, as I am, that the strength of the free world is essential to our survival; if you are convinced, as I am, that countries, like individuals, like to stand on their own feet; if you believe, as I do, that expanding production and expanding trade are essential elements of economic progress and prosperity, then I think you will agree with me that our trade policy is of major importance. I would like you to think again about the choice we face in our policy:

(1) cutting exports and accepting defaults on payments of loans; (2) meeting the trade deficit with money from the U.S. public treasury—our pockets; or (3) receiving payment for our goods in the form of imports of goods and services.

Our domestic and our foreign policy cannot be dissociated. At home we have practiced the doctrine of expanding production and expanding trade. We must continue to practice this policy in our international dealings. We are interested in maintaining markets for our goods. Part and parcel of this problem of marketing our goods abroad will be our willingness to permit foreign nations to earn dollars honestly and economically by allowing unhampered trade with us. Thus we will clearly demonstrate that we ourselves are prepared to practice what we preach. We will convince the free world by our deeds as well as our words, that expanded trade and lowering of restrictions on trade is a vital element in our common defense and our common achievement of world peace.

¹ *Ibid.*, Apr. 28, 1952, p. 661.

Soviet Restrictions in Germany Protested

Texts of U.S. Notes

On May 30 the Acting U.S. High Commissioner for Germany sent two notes to Gen. Vassily I. Chuikov, chairman of the Soviet Control Commission in Germany. Identical notes were sent by the High Commissioners of the United Kingdom and France. Texts of the U.S. notes follow:

[Printed from telegraphic text]

I

DEAR GENERAL CHUIKOV:

I am compelled to draw your attention to a series of obstructive measures which have been taken in the past few days in the Soviet zone of Germany and in the Soviet sector of Berlin.

The railway zone-crossings at Hof and Horrenberg have been closed arbitrarily, the first to passenger traffic, and the second to all traffic.

Traffic has been interrupted on the Pressig-Rotenkirchen-Tettau rail connection which crosses the territory of the Soviet zone for a short distance.

Under various pretexts and by arbitrary unilateral action, the road crossings at Vacha, Arenshausen, and Oebisfelde were closed on May 24, and those at Bergen and Ellrich were closed on May 25. No alternative crossings have been provided in any of these cases.

Thus one-half of the highway connections between the Western zones and the Soviet zone have been closed. Telegraph and telephone communications between the Western sectors of Berlin and the Soviet zone or sector, between Berlin and the Western zones, and between the Soviet zone and the Western zones have been completely interrupted or abnormally reduced. As a result the United States Military Mission in Potsdam has been deprived of telephone connections with the Western sectors of Berlin.

An ordinance published on 26 May by the German authorities of the Soviet zone contains in its preamble false and insulting allegations directed against the "Western powers." Measures are moreover being taken to establish a prohibited area of several kilometers and a cleared area along the demarcation line so as to isolate completely the Soviet zone from the Western zone.

In certain cases the cleared area even encroaches on the demarcation line. Moreover, German authorities of the Soviet zone appear to have announced their intention of modifying unilaterally the conditions which, under quadripartite agreements, govern inter-zonal travel.

I protest vigorously against these actions, which are manifestly contrary to the interests of the

whole German population. They are hardly likely to facilitate the reunification of Germany which, nevertheless, the Soviet Government professes to be a primary objective. Furthermore, they are in direct contradiction with the spirit and the letter of agreements concluded during the last seven years between the occupying powers. I therefore request you to give the necessary instructions to have these measures rescinded.

Very truly yours,

SAMUEL REBER

II

MY DEAR GENERAL CHUIKOV:

On May 8, 1952, United States military vehicles containing United States military personnel were refused permission by the Soviet authorities at Babelsberg to go along the autobahn to Helmstedt. The following day a British military vehicle, containing British military personnel, was also refused clearance by the Soviet authorities at Babelsberg. Until May 16 the Soviet authorities persisted in refusing clearance to British and United States military patrols. On May 27, after patrols had passed for ten days without interference, restrictions were again arbitrarily imposed by the Soviet authorities on the movement of British and United States patrols along the autobahn at Babelsberg and these have not yet been lifted. Such actions cannot be justified under existing agreements and usages.

The right of free access of United States, United Kingdom and French military forces to Berlin, over the autobahn as well as by other means of communication, flows from the rights of the United States, United Kingdom and France as occupying powers in Berlin and is beyond challenge.

I therefore request you to instruct your subordinates to desist from any further interference with the right of free access by these military police units, which are integral elements of United States and United Kingdom military forces, to the autobahn in question.

Very truly yours,

SAMUEL REBER

French Cotton Credit

The Directors of the Export-Import Bank on May 12 announced the authorization of a credit of 45 million dollars to Groupement d'Importation et de Repartition du Coton (an association of French cotton importers) subject to guaranty by a consortium of French banks headed by Lazard Frères of Paris. The transactions will be conducted through U.S. commercial banks.

Complaints Concerning High Water Levels in Lake Ontario

INVESTIGATION BY CANADIAN OFFICIALS

[Released to the press May 15]

The Department of State announced on May 13 that the American Embassy at Ottawa had received a note dated May 8, 1952, from the Canadian Department of External Affairs, stating that the Canadian Government was prepared to concur in a reference to the International Joint Commission-United States and Canada, on the matter of high-water levels in accordance with the request contained in the Embassy's note of March 7, 1952.

Many complaints were received by the Department of State last September from residents along the south shore of Lake Ontario regarding damage being caused to their property by the high level of water in Lake Ontario. Some of the complainants considered that the Gut Dam constructed in the St. Lawrence River by the Canadian Government in 1903-04 and the diversion of the waters of the Long Lac and Ogoki Rivers from Hudson Bay into Lake Superior constituted important elements in causing the high water in Lake Ontario.

In a note dated October 19, 1951,¹ the Department of State, through the American Embassy at Ottawa, presented these complaints to the Canadian Government and asked that an investigation be conducted regarding these complaints. On October 25, 1951, the Canadian Department of External Affairs replied that such an investigation would be made by Canadian officials.¹

The results of this investigation were set forth in a note dated February 27, 1952,¹ from the Canadian Department of External Affairs in which the following excerpts from the report of the investigation respecting the effects of the Gut Dam on this situation were set forth:

Location. The Gut Dam is located in the St. Lawrence River about 7 miles below Prescott and extends across the channel between Galop Island and Adams Island.

Purpose. The Dam was built in order to: "shut off a side or cross current in the Galop Rapids and thereby render that channel safer for the passage of vessels. A

secondary object is to raise the water in the upper entrance of the Galop Canal."

Effect of Dam on Flow Distribution. Prior to the construction of the Gut Dam 54.3% of the total flow of the River at times of mean flow passed north of Galop Island, 12,000 cubic feet per second of which passed through the channel between Galop and Adams Islands. At the present time 52% of the flow passes down the North channel.

Effect of Dam on Water Levels. Closure of the Galop-Adams Island Channel has resulted in a raise in water level of 0.50 feet (6 inches) in the water level at mean stage at the upper entrance to the Galop Canal and 0.45 feet (5½ inches) at mean stage on Lake Ontario (Oswego, N. Y.)

The maximum daily mean water level recorded at the upper entrance to the Galop Canal since the Dam was built was elevation 246.69 feet (July 30, 1947). This level was exceeded during 234 days between 1858, the earliest year of record, and 1900, with a maximum recorded elevation of 247.38 (May 22, 1862).

The maximum monthly mean level recorded at the upper entrance to the Galop Canal since the Dam was built was elevation 246.34 (July 1947). This mean level was exceeded during 16 months during the period 1858 to 1900, with a maximum monthly mean of 246.84 in May 1862.

During the period of low levels occurring in 1934, '35 and '36 the depth available for navigation in the St. Lawrence Canals was governed by the depth on the upper sill of Lock 24 and reached a minimum of 11.8 feet on November 26, 1934. If the Gut Dam had not been in place the depth of water on the upper sill of Lock 27 (the upper entrance lock of the Galop Canal) would have been the governing depth on the St. Lawrence Canals and would have fallen to a minimum of 11.7 feet on November 20, 1934. Of greater importance than the decrease in the available depth is the increase in the number of days during the low water period on which the full 14-foot depth would not have been available—from 386 occurrences under present conditions to 785 occurrences with the Gut Dam removed.

Effect of Dam on Currents. At the present time certain vessels navigate upstream past Iroquois and enter the Galop Canal at Lock 28. If the Gut Dam were removed the velocities at mean stage at the lower entrance to Lock 28 would be increased by approximately 5%. Whether this is a serious matter or not could only be determined by consultation with the pilots in charge of these vessels.

As a result, the conclusion was reached that the effect of the Gut Dam on the level of Lake Ontario was to raise the level 5½ inches at mean stage, and during periods of high water such as

¹ Not printed here.

occurred in May 1951, was to raise the level $7\frac{3}{4}$ inches.

With respect to the effect of other diversions on the level of Lake Ontario and the net effect of these diversions and of the Gut Dam, the report of the Canadian officials reached the following conclusions:

The quantity of water diverted from the Hudson Bay Drainage Area into the Great Lakes Basin via the Long Lac and Ogoki River diversions varies from time to time. To date it has been assumed that on the average the total amount added to the Great Lakes Drainage Basin will be 5,000 c. f. s. The effect of this additional water on the level of Lake Ontario at times of mean flow is 0.25 feet (3 inches).

The amount of water diverted from the Great Lakes Drainage Basin via the Chicago Drainage Canal is now regulated by a decree of the Supreme Court of the United States, dated April 21, 1930, and is limited to an annual average of 1,500 c. f. s. in addition to domestic pumpage. This latter amount can be taken at about 1,800 c. f. s. The effect of the total diversion of 3,300 c. f. s. on the water level of Lake Ontario at times of mean flow is 0.16 feet (2 inches).

The net effect of the Gut Dam, the Long Lac and Ogoki diversions and the Chicago diversion on the water level of Lake Ontario at times of mean flow is as shown below:

Works	Amount of Diversion c. f. s.	Effect on W. L. on Lake Ontario
Gut Dam		0.45 feet
Long Lac & Ogoki Diversions	5,000	0.25 feet
Chicago Diversion	3,300	0.16 feet
		0.54 feet (6½ inches)

The net effect of all these works at periods of high water level is then stated to be as follows:

Effect of Gut Dam	7¼ inches
Effect of Ogoki and Long Lac (5,000 c. f. s.)	3 inches
Effect of Chicago Diversion (3,200 c. f. s.)	2 inches
Net effect	8¾ inches

The report recommended that the most effective way of dealing with the problem was by the construction of the St. Lawrence Seaway and Power project in the International Rapids Section of the St. Lawrence River, as it would provide for the regulation of outflow and level of Lake Ontario at the proposed dams and power houses.

As the Canadian note of February 27, 1952, concluded with the statement that further consideration would be required respecting the suggestion of the U.S. Government that the question of the levels of the Great Lakes be referred to the International Joint Commission for study and recommendations, the Embassy in its note of March 7, 1952, referred to several bills pending in Congress with respect to waters of the Great Lakes and formally requested "that the Government of Canada join with the Government of the United States in referring the question of the high-water level of Lake Ontario to the International Joint Commission for study and for recommendation of the appropriate remedial measures"—the exact terms

of such a reference to be drafted later if Canada agreed in principle to such a reference.

The International Joint Commission-United States and Canada, was established pursuant to provisions of the Boundary Waters Treaty of January 11, 1909, and consists of three United States and three Canadian members. It has assisted both Governments since its establishment in the settlement of difficult problems relating to boundary waters.

CANADIAN NOTE OF MAY 8

The Secretary of State for External Affairs presents his compliments to His Excellency the Ambassador of the United States of America and has the honour to refer to the Embassy's note no. 99 of October 19, 1951, the reply of the Department of External Affairs, No. X-51, of February 27, and to the Embassy's note No. 222 of March 7, with regard to the suggestion that the question of the high-water level of Lake Ontario be referred to the International Joint Commission for study and for recommendation of the appropriate remedial measures.

As indicated in the Department's reply under reference, the construction of the St. Lawrence Seaway and Power project in the International Section of the St. Lawrence River will provide for the regulation of the outflow and level of Lake Ontario and this is considered to be the most effective way of dealing with the problem. After many years of study of the hydrology of the Great Lakes system as a whole and the hydraulics of the St. Lawrence River in particular, a method of regulation has been designed and accepted by the engineering officials of both countries in planning the implementation of the Great Lakes-St. Lawrence Basin Agreement of 1941. Moreover, article VIII(D) of the 1941 agreement on the St. Lawrence Project provides that the Great Lakes-St. Lawrence Basin Commission, to be set up under the terms of that agreement, shall report upon the desirability of works for compensation and regulation in the Great Lakes system.

On the other hand, in order to avoid any further delay, the President of the United States has already agreed to cooperate with the Canadian Government in referring the St. Lawrence project immediately to the International Joint Commission for approval on the understanding that the deep waterway will be constructed by Canada alone. With the exception of the location of the waterway, plans for this alternative development, including the control features and the method of regulation on which the plans are based, are the same as those developed for the implementation of the 1941 Agreement.

The Canadian Government is prepared to deal with this matter as quickly as possible under either of the two alternative arrangements already agreed upon. The Government of Canada is also

prepared to concur in the suggested reference to the International Joint Commission on the matter of high-water levels, on the understanding that the reference will be drafted in such a manner that the Commission will not delay consideration of the St. Lawrence project, which it has been agreed to refer to the Commission immediately, and so that approval of the St. Lawrence project will not be delayed by the consideration of the reference on the matter of high water levels.

U.S. NOTE OF MARCH 7

[Printed from telegraphic text]

No. 222

The Ambassador of the United States of America presents his compliments to His Excellency the Secretary of State for External Affairs and has the honor to refer to paragraph 7 of His Excellency's Note No. X-51 of February 27, 1952, in regard to the high-water level of Lake Ontario in which it is stated that the question of a reference to the International Joint Commission for study and recommendation will require further consideration by the Canadian Government.

It has been orally indicated to the Department of State that a primary factor in the reluctance of the Canadian Government to make a reference concerning the level of water in Lake Ontario has been the feeling that such a reference might prejudice an expeditious consideration of a reference to the St. Lawrence project. It is the opinion of the U.S. Government on the other hand that the making of such a reference concerning the level of water in Lake Ontario would not necessarily delay the consideration of a reference on the St. Lawrence project, but instead might expedite its disposition since the information which could be obtained by the International Joint Commission under the Lake Ontario reference would supplement information required in connection with any subsequent St. Lawrence reference. It has, moreover, been the practice of the Government concerned to request the Commission, upon appropriate occasions, to give priority to urgent questions such as, for example, the effect upon the spawning grounds of the blue-back salmon in the Okanagan River of the construction of the flood control structures which Canadian authorities propose to erect in that river. Consequently, the communications from each Government to the chairman of each of the sections of the Commission transmitting a reference on the St. Lawrence Power project could appropriately ask that the Commission give it consideration on a priority basis with respect to any other reference pending before the Commission. There is no reason to doubt that such a request would result in immediate consideration by the Commission of a St. Lawrence reference.

In view, therefore, of the foregoing considerations and the provisions of several bills pending

in the Congress with respect to waters of the Great Lakes, and with reference to his earlier oral representations on the subject, the Ambassador has the honor to request formally that the Government of Canada join with the Government of the United States in referring the question of the high-water level of Lake Ontario to the International Joint Commission for study and for recommendation of the appropriate remedial measures. The exact terms of such a reference can be drafted later if the Canadian Government agrees in principle to such reference.

Radio Equipment Convention Enters Into Force With Canada

[Released to the press May 15]

On May 15, 1952, Secretary Acheson and Hume Wrong, Canadian Ambassador at Washington, exchanged the instruments of ratification with respect to the convention between the United States and Canada, signed at Ottawa on February 8, 1951, relating to the operation by citizens of either country of certain radio equipment or stations in the other country.¹ By this act the convention was brought into force.

The convention is designed to eliminate certain difficulties which have arisen in recent years by reason of the fact that the citizens of each country who operate certain types of radio equipment in that country have been precluded by the laws of the other country from operating similar equipment in such other country.

Three classes of persons will derive direct benefit from the provisions of the convention. Pilots who are qualified as radio operators in one of the countries will be permitted to operate the transmitters installed in civilian aircraft of the other country's registry. Operators of certain mobile radio transmitters installed in vehicles used for public service or for commercial purposes in border areas, and individuals who have radio telephone installations in their cars, will be able to obtain permission to use such equipment while in the territory of the other country. Amateur wireless operators will be permitted, subject to certain conditions, to use their wireless sets while visiting the other country.

The U.S. Senate gave its advice and consent on April 1, 1952, to the ratification of the convention. The President ratified the convention on April 7, 1952.

It is provided in the convention that it shall remain in force for a period of 5 years from the day of the exchange of instruments of ratification and, subject to the right of either Government to give a 6-month written notice of termination, indefinitely after that period.

¹ BULLETIN of Feb. 19, 1951, p. 302.

Opportunities for Foreign Study Under Fulbright Act

[Released to the press May 26]

Opportunities will be available for more than 1,300 Americans to undertake graduate study, teaching, or research abroad during the 1953-54 academic year, the International Information Administration of the Department of State announced on May 26. A comparable number of opportunities will be available for foreign nationals to come to the United States for similar purposes. These awards, authorized by the Fulbright Act, are offered under the educational exchange program which is designed to further mutual understanding between the people of the United States and the people of other countries.

The countries in which these opportunities exist are Austria, Australia, Belgium, Burma, Denmark, Egypt, France, Greece, India, Iraq, Italy, Japan, the Netherlands, New Zealand, Norway, Pakistan, the Philippines, Thailand, and the United Kingdom.

Persons wishing to apply should send their inquiries to the following agencies:

For graduate study: Students currently enrolled in American colleges or universities should apply to the Fulbright advisers on their campuses. Completed applications must be returned to these advisers by October 31, 1952. Other candidates should apply directly to the Institute of International Education, One East 67th St., New York 21, N.Y. Completed applications must be returned to that office by October 31, 1952, except for Australia and New Zealand, which must be returned by October 15.

For university teaching, or advanced research: to the Conference Board of Associated Research Councils, 2101 Constitution Ave., NW., Washington 25, D.C. Completed applications must be returned by October 15, 1952, for Austria, Belgium, Denmark, Egypt, France, Greece, Iraq, Italy, the Netherlands, Norway, and the United Kingdom. The competition for other countries has already closed.

For teaching in American secondary schools abroad: to the American Council on Education, 1785 Massachusetts Ave., NW., Washington 6, D.C.

For teaching in national secondary schools abroad: to the Office of Education, Federal Security Agency, Washington 25, D.C. Completed applications must be returned by October 15, 1952, for Austria, Belgium, Denmark, Egypt, France, Greece, Iraq, Italy, the Netherlands, Norway, and the United Kingdom. The competition for other countries has already closed.

Grants are normally made for one academic year and are renewable only in exceptional cases. Grants to Americans usually include round-trip transportation, tuition or a stipend, a living allow-

ance, and a small amount for necessary books and equipment. Grants to foreign nationals include round-trip transportation only, and their expenses in the United States must be met from other sources. All grants under the act are made in foreign currencies.

Agricultural-Mechanical College To Be Established in Ethiopia

The Department of State announced on May 16 that the United States and Ethiopia have concluded an agreement providing for the establishment and operation of a college of agriculture and mechanical arts in Ethiopia by the Technical Cooperation Administration.

The Point Four program agreement was signed May 15 at Addis Ababa by U.S. Ambassador J. Rives Childs and Foreign Minister Aklilou Habtewold of Ethiopia. Present at the signing was Marcus J. Gordon, who was recently appointed to direct the U.S. program of technical cooperation in Ethiopia to be developed under the General Point Four Agreement between the two Governments signed on June 14, 1951.¹

Oklahoma Agricultural and Mechanical College of Stillwater, Okla., will assume the responsibility of assisting the Government of Ethiopia in establishing and operating the college under an agreement with the Technical Cooperation Administration.

The college, which in many respects will be similar to a typical American land-grant college, will undertake projects designed to further the economic development of the country. This will include a country-wide agricultural extension service and agricultural experiment stations.

Under the terms of the agreement signed May 15, the initial contribution of the United States will be \$400,000 to help finance the costs of the college buildings and plant in addition to providing the basic staff of technicians required to organize the college program. The U.S. contribution of \$400,000 will be matched by the Ethiopian Government in Ethiopian currency to finance the local currency costs of the college program. The Ethiopian Government will also provide the necessary lands and local personnel.

The possibility of establishing an agricultural and mechanical arts college adapted to the needs of Ethiopia was first discussed in 1950 when the late Henry G. Bennett, then President of Oklahoma A. and M., served as an agricultural adviser to Emperor Haile Selassie. Plans were further discussed when Mr. Bennett visited Ethiopia in July of 1951 as Administrator of the Technical Cooperation Administration of the Department of State.

¹ BULLETIN of July 2, 1951, p. 18.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

U.S., U.K., France Submit Proposals for Numerical Limitation of Armed Forces

STATEMENT BY BENJAMIN V. COHEN¹

I should like to explain the reasons which have prompted the United States delegation to join with the British and French delegations in the presentation of a working paper containing proposals for setting over-all numerical ceilings on all armed forces. The proposals in our view are significant and far reaching. It is our belief and hope that these proposals can help this United Nations Disarmament Commission to work out a comprehensive program which will lift the burden and fear of armaments from the peoples of all countries and materially reduce the danger of war.

We are under no illusions as to the difficulties which confront us. The historic record of humanity's struggle for disarmament gives little encouragement. Certainly no one who has followed the debates in this Commission can expect quick or easy agreement.

Our ideological and political differences are great, and our fears and suspicions perhaps even greater. Tensions have not been relaxed by the unleashing of the Cold War in this Commission at its first meeting here in New York, despite the efforts of most of us to pitch the discussions on a wholly different basis. We cannot be unmindful of the impression gaining currency that we are not seriously discussing disarmament but are only engaging on a propaganda struggle to cast the blame for armaments on one side or the other.

But despite these discouragements there are impelling reasons why we should proceed with our work.

Despite our differences and antagonisms we have an overwhelming common interest in the preservation of world peace. The total destructiveness of modern warfare threatens the survival of our common civilization without regard to our

political, economic, social, religious, or ideological differences. As it becomes increasingly clear that there is no choice between common survival and mutual extinction, there may be reason to hope that the instinct of self-preservation will yet prevail over the fatalistic acceptance of the inevitability of armed conflict.

Let there be no misunderstanding. Limiting the numbers of permitted armed forces is only a part of our task. We must also limit the types and quantities of armaments which should be allowed to support permitted armed forces. But it is important to know the numerical ceilings for the armed forces that we are aiming to achieve in order to determine the types and quantities of armaments that would be appropriate to support them. When we have determined the forces and arms which should be allowed, we must see to it that the forces and arms which are not permitted are prohibited and eliminated. And, of course, we assume that we are going to prohibit and eliminate all weapons adaptable to mass destruction in accordance with the General Assembly resolution. If we can even tentatively agree on the ceilings for permitted armed forces, it should greatly facilitate agreement in reducing and restricting the quantities and types of permitted armaments.

If we are agreed that the present levels of armed strength should be reduced, we should make an honest beginning, starting with the most powerful states, to bring about the substantial and balanced reductions at which we are aiming. Let us not talk of a fourth or a third or a half reduction without knowing the levels from which we start or the levels at which we end. Let us say what we mean and mean what we say.

Numerical Ceilings Proposed

Our tripartite working paper suggests fixed numerical ceilings on the armed forces of the United States, the U.S.S.R., China, the United Kingdom, and France. It proposes maximum ceilings for the

¹ Made in the U.N. Disarmament Commission on May 28 and released to the press by the U.S. Mission to the U.N. on the same date. Ambassador Cohen is deputy U.S. representative to the United Nations.

United States, the U.S.S.R., and China of between 1,000,000 and 1,500,000. It proposes maximum ceilings for the United Kingdom and France of between 700,000 and 800,000. The reductions proposed are substantial and balanced. They seek to avoid a disequilibrium of power dangerous to international peace among the Great Powers or with other states and thus to reduce the danger of war. The reductions for the United States and, we assume, for the U.S.S.R. and China would be well over 50 percent.

The tripartite working paper also suggests that there should be agreed maximum ceilings for all other states having substantial armed forces which should be fixed in relation to the ceilings agreed upon for the Five Powers. The ceilings would be fixed in these cases also with a view to avoiding a disequilibrium of power dangerous to international peace and security in any area of the world and thus reducing the danger of war. It is contemplated that the ceilings would normally be less than one percent of the population and would normally be less than the current levels.

Many of the present difficulties both in Europe and in Asia spring from an imbalance of armed strength which causes some nations to feel that they live only by leave or grace of their more powerful and none too friendly neighbors. If a balanced reduction of arms is to reduce both the fear and danger of aggression, it must take into account the balance of armed strength of the most powerful states not only in relation to one another but also in relation to their neighbors.

The only certain way to avoid total war which involves the use of weapons adaptable to mass destruction is to eliminate war as a means of settling disputes between nations. The goal of disarmament must be not to regulate the armaments used in war but to prevent war by reducing the likelihood or possibility of successful aggression. When men fight to kill, it is not easy to restrain the length to which they will go to kill. That is why President Roosevelt defined the Fourth Freedom, freedom from fear, in world terms to mean

... a world-wide reduction of armaments to such a point and in such a thorough fashion that no nation will be in a position to commit an act of physical aggression against any neighbor—anywhere in the world.

It is certainly anomalous that states which have solemnly undertaken under the Charter of the United Nations to settle their disputes by peaceful means and to refrain from the threat or use of force except in defense of the Charter should maintain huge and onerous armaments. President Truman in his address on November 7, 1951, made it clear that this situation does not exist by the free choice of the U. S. Government. He stated:

We are determined to win real peace—peace based on freedom and justice. We will do it the hard way if we must—by going forward, as we are doing now, to make

the free world so strong that no would-be aggressor will dare to break the peace. But we will never give up trying for another way to peace—the way of reducing the armaments that make aggression possible.

An effective disarmament program should give content and meaning to the solemn undertakings of states not to resort to war as an instrument of national policy. An effective disarmament program must be conceived with a determination to strengthen the peace. It means nothing if it is a mere haggling process to reduce the cost of preparing for war or to draft regulations about the sort of armaments to be used in the next war. As Salvador de Madariaga stated in commenting on the failure of disarmament negotiations before the last war: "Aggression or defence are not in the weapons but in the heart and brain of the combatant." (Madariaga, *The World's Design*, London, 1938, p. 51.)

The proposals which the French, the British, and the American delegations have submitted to the Commission deal with one of the essential parts, and in some ways the most important part, of a comprehensive disarmament program. Our proposals are flexible, they are not intended to be final or exhaustive. They should provide a basis for discussion. We hope that as a result of the exchange of views they may be improved.

A nation's armed forces are not the only measures of its armed strength. The other elements of armed strength must be considered in the development of any comprehensive disarmament program. But aggressors are not likely to go to war without the armed forces which are necessary to insure the successful accomplishment of their aggressive purposes. All armaments depend upon manpower and their effectiveness, in varying degrees, is affected by the armed forces available to use them. A substantial and balanced reduction of armed forces should greatly lessen the likelihood and fear of war.

The tripartite working paper is not introduced as a propaganda trick or as a mere paper declaration. It is intended to give us a basis for starting serious work on the proposed limitations. Our work should include the relationship of this proposal to other components of the program for regulation, limitation, and balanced reduction of armed forces and armaments and the elimination of weapons adaptable to mass destruction. The work should, of course, lead to the treaty or treaties required under paragraph 3 of the General Assembly resolution of January 11, 1952, which, it is contemplated, would include all the essential components of a comprehensive program. The treaty or treaties would have to provide adequate safeguards throughout the process of reduction to insure that the limitations are put into effect and observed as agreed and that violations can be promptly detected. Adequate provision would have to be made to insure that all kinds of armed forces are embraced within the limitations,

including paramilitary and security forces. Provision would have to be made to insure that the limitations are not circumvented through the building up of large forces of trained reserves or militarily trained police. The system of limitations would have to be accepted by all states, whether or not members of the United Nations, whose military resources are such that their failure to accept would endanger the system. Provision would have to be made for carrying through the reductions in a manner and in accordance with a time schedule prescribed by the international control organ so that the reductions could be completed within the shortest time feasible after their commencement. The agreed ceilings should be made subject to review at stated intervals, and further numerical limitations would be contemplated as substantial progress is achieved toward the easing of international tensions.

This is an important point. We do not believe that agreed ceilings should necessarily be fixed indefinitely. One of the errors which the United States, the United Kingdom, and France wish to avoid is the error of assuming that the *status quo* should be permanent. Changing factors may require changed maximum ceilings. Thus in the future further numerical limitations of permitted armed forces would be contemplated as substantial progress is achieved toward the easing of international tensions, and the agreed ceilings could be subject to periodic review to see whether they were appropriate at the time of such review.

We reiterate our hope that agreement on numerical limitations on all armed forces will facilitate agreement on other phases of the program. As we progress in our work, we should be able to tie together the related components of a comprehensive disarmament program.

Of course, the proposed reductions in armed forces depends upon the settlement of the Korean conflict and some progress toward the establishment of peaceful conditions throughout the world. Before our disarmament treaties are concluded all states concerned will have to accept seriously their obligations under the Charter not to use force or the threat of force as an instrument of national policy and to settle their disputes by peaceful means in such a manner that international peace and security and justice are not endangered.

Relationship to International Tensions

The relationship of international tensions and ceilings on armed forces is clear. What is the basic purpose of setting maximum levels for all armed forces? It is to avoid disequilibrium of power dangerous to international peace and security anywhere in the world and thus help minimize the danger of war. We believe, and I speak for the Three Powers, that one of the most fundamental reasons for the international tensions

which exist in the world today is the imbalance of power in various areas. This imbalance can be remedied, it seems to me, in either of two ways. One way is to build up the strength of the free world to match or, if necessary, to surpass the strength of the Soviet bloc, and that is what the free nations are now doing out of the sheer necessity of survival. We have had ample warning of what happens when free governments are weak and imperialistic and aggrandizing powers are both strong and rapacious.

The other way, which the United States, the United Kingdom, and France infinitely prefer, is for all states with substantial military power to limit their armed forces and armaments to levels such that they avoid this disequilibrium of power by reduction instead of production. Setting numerical limitations on armed forces is one of the most important steps in the direction of the second solution for the present imbalance of power. The Three Powers will never cease trying to achieve this solution of reducing all armed forces and all armaments, hoping that the time will come when all states, most important the Soviet Union, will recognize the vital necessity for agreeing on fair and balanced reductions to achieve an honest disarmament program.

What I have said about avoiding disequilibrium of power dangerous to international peace and security points up the relationship between disarmament and settlement of current major political issues. Disarmament proposals cannot be considered in isolation, apart from these major international tensions existing in the world. There is an obvious connection between the solution of current major political issues, the reduction of tensions, and the limitation and reduction of armed forces and armaments. Consequently, concurrently with coming into effect of a disarmament program, these principal political issues between the Great Powers should be settled. The United States is not placing preconditions in the day of disarmament. We are merely recognizing the facts of international political life.

But the important thing is that we get started on our work. Progress in our work may in itself be a means of easing international tension. The General Assembly asked us to consider from the outset plans for the disclosure and verification of all armed forces and armaments. We have submitted a comprehensive working paper on that subject.

The Soviet representative suggested that we should first agree on basic principles regarding reduction in armed forces and the elimination of weapons of mass destruction. To meet this point of view we have submitted a paper containing six essential principles for a comprehensive disarmament program. This paper makes it clear that it is our intention to reduce armed forces and armaments to a point that no state will be in a condition of armed preparedness to start a war.

We have by no means ignored the important problem of atomic energy. Within a year after the discovery of the practical application of atomic energy for war purposes, the United States presented a constructive plan for the control of atomic energy to insure its use for peaceful purposes only. The plan commended itself to most of the members of the United Nations. If it is not perfect, let us consider concretely how we can improve it. Negative criticisms when unaccompanied by concrete or understandable alternatives get us nowhere.

We now, with our British and French colleagues, submit a proposal calling for limiting the armed forces of the United States, the Soviet Union, and China to a ceiling of not more than 1,500,000 and possibly not more than 1,000,000, calling for limiting the armed forces of Britain and France down to a ceiling between 700,000 and 800,000, and calling for comparable reductions and ceilings on the armed forces of all other countries.

No nation has anything to fear from a decision to accept these proposals. Every nation stands to gain from them peace and increased security. Let us prove now by our wisdom, by our vision, and by our labor that we can banish fear and render war impossible. Let us release the energies and resources which are now spent on armaments to build a friendly world of expanding freedom and human well-being.

U.N. doc. DC/10
Dated May 28, 1952

WORKING PAPER SETTING FORTH PROPOSALS FOR FIXING NUMERICAL LIMITATION OF ALL ARMED FORCES

The delegations of France, the United Kingdom of Great Britain and Northern Ireland and the United States of America, which sponsored the resolution of the General Assembly establishing the Disarmament Commission, are today submitting the attached working proposals for the determination of over-all numerical limitations on all armed forces.

In fixing numerical limitations on the armed forces of States a number of factors, demographic, geographic, political and economic, have to be considered. The Charter responsibilities of States and the need of balanced power-relationships among States must also be taken into account. There is no one automatic formula which can inflexibly be applied in all cases. The objective must be to reduce the possibility and the fear of successful aggression and to avoid a disequilibrium of power dangerous to international peace and security.

The proposals suggest that there should be fixed numerical ceilings for China, France, the Union of Soviet Socialist Republics, the United Kingdom and the United States of America. A ceiling between 1 million and 1.5 million is suggested for the Union of Soviet Socialist Republics, the United States of America and China, while a ceiling between 700,000 and 800,000 is suggested for the United Kingdom and France.

The proposals call for agreed maximum ceilings for all other States having substantial armed forces to be fixed in relation to the ceilings agreed upon for the Five Powers. Such ceilings should be fixed with a view to avoiding a disequilibrium of power dangerous to inter-

national peace and security in any area of the world, thus reducing the danger of war. The ceilings would normally be less than one per cent of the population and should be less than current levels, except in very special circumstances.

The proposals envisage substantial and balanced reductions in armed forces. Agreement on such reductions should greatly lessen the likelihood and the fear of successful aggression and should facilitate agreement on other essential parts of a comprehensive disarmament programme, including the elimination of all major weapons adaptable to mass destruction and the effective international control of atomic energy to insure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes only.

Working Paper Setting Forth Proposals for Fixing Numerical Limitation of all Armed Forces, Submitted by the Representatives of France, the United Kingdom and the United States

A. Introduction

1. Paragraph 3 of the General Assembly Resolution of January 11, 1952²

"Directs the Disarmament Commission to prepare proposals to be embodied in a draft treaty (or treaties) for the regulation, limitation and balanced reduction of all armed forces and all armaments, for the elimination of all major weapons adaptable to mass destruction, and for the effective international control of atomic energy to ensure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes only."

2. Paragraph 6 of the Resolution

"Directs the Commission, in working out plans for the regulation, limitation and balanced reduction of all armed forces and all armaments;

(a) To determine how overall limits and restrictions on all armed forces and all armaments can be calculated and fixed;

(b) To consider methods according to which States can agree by negotiation among themselves, under the auspices of the Commission, concerning the determination of the overall limits and restrictions referred to in sub-paragraph (a) above and the allocation within their respective national military establishments of the permitted national armed forces and armaments."

3. The present working paper presents a plan for the determination of overall numerical limitations on the size of the armed forces of states. Obviously some overall limitations on the size of the armed forces of states are an essential part of any comprehensive plan for the regulation, limitation and balanced reduction of armed forces and armaments. The working paper is not intended to exclude, but to facilitate the development of other essential components which must be included in what the preamble of the General Assembly Resolution refers to as "comprehensive and co-ordinated plans, under international control, for the regulation, limitation and balanced reduction of all armed forces and armaments, for the elimination of all major weapons adaptable to mass destruction, and for the effective control of atomic energy to ensure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes" including "safeguards that will ensure the compliance of all . . . nations [whose military resources are such that their failure to accept would endanger the system]." Proposals have already been submitted on certain other essential components, i. e., the control of atomic energy and disclosure and verification of all armed forces and armaments. By submitting this working paper and focusing attention on another component we hope to facilitate progress toward an agreed comprehensive program.

² BULLETIN of Mar. 31, 1952, p. 507.

B. Standards for Determining Numerical Limitations of All Armed Forces

4. In fixing numerical limitations on the armed forces of states a number of factors, demographic, geographic, political and economic, have to be considered. The Charter responsibilities of states and the need of balanced power-relationships among states must also be taken into account. There is no one automatic formula which can inflexibly be applied in all cases. The objective must be to reduce the possibility and the fear of successful aggression and to avoid a disequilibrium of power dangerous to international peace and security.

5. The following working formula is suggested as a basis of discussion.

a. There should be fixed numerical ceilings for China, France, the USSR, the UK, and the U.S. which should be worked out with a view to avoiding a disequilibrium of power dangerous to international peace and security among themselves or with other states and thus reducing the danger of war. It is tentatively suggested that the maximum ceilings for the USSR, the US and China should be the same and fixed at, say, between 1,000,000 and 1,500,000 and the maximum ceilings for the United Kingdom and France should be the same and fixed at, say, between 700,000 and 800,000.

b. For all other states having substantial armed forces there should be agreed maximum ceilings fixed in relation to the ceilings agreed upon for the Five Powers. Such ceilings should be fixed with a view to avoiding a disequilibrium of power dangerous to international peace and security in any area of the world and thus reducing the danger of war. The ceilings would normally be less than one percent of the population. Moreover, they should be less than current levels except in very special circumstances.

C. Significance of Overall Numerical Limitations

6. While a nation's armed forces are not the only measure of its armed strength, and other elements of armed strength will have to be considered in any comprehensive program for the balanced reduction of armed forces and armaments, nevertheless a numerical limitation on armed forces is a major element in any such program for the following reasons:

a. All armaments programs depend upon manpower and therefore must to a greater or less degree be affected by limitations on permitted armed forces.

b. A substantial reduction of armed forces as here suggested in itself would tend to reduce the likelihood of successful aggression.

c. Agreement on a substantial and balanced reduction of armed forces minimizing the likelihood and fear of successful aggression should greatly facilitate agreement reducing and restricting the armaments supporting these armed forces.

D. Implementation of Proposals for Numerical Limitations of All Armed Forces

7. In determining the numbers of the armed forces, all kinds of armed forces, including para-military and security forces must be included.

8. Adequate provision must be made to insure that the maximum limitation on armed forces is not circumvented through building up large forces of trained reserves or militarily trained police.

9. This system must be accepted by all states, whether or not Members of the United Nations, whose military resources are such that their failure to accept would endanger the system.

10. There should be adequate safeguards throughout the process of reduction to ensure that limitations are put into effect and observed as agreed and that violations can be promptly detected.

11. The implementation of the reductions should be closely related to progress in connection with other phases of the program for regulation, limitation and balanced reduction of armed forces and armaments, such as the control of atomic energy and the system of progressive and continuing disclosure and verification.

12. The reduction should be carried through in a manner and in accordance with a time schedule prescribed by the international control organ and should be completed within the shortest feasible time after its commencement.

13. In the future, further numerical limitation of permitted armed forces would be contemplated as substantial progress is achieved toward the easing of international tensions, and the agreed ceilings would be subject to review at stated intervals.

14. The proposed limitations—including their relationship to other components of the program for regulation, limitation and balanced reduction of armed forces and armaments and the elimination of weapons adaptable to mass destruction—should be comprehended within the treaty or treaties required under Paragraph 3 of the General Assembly Resolution of January 11, 1952.

U.S. Position on Germ Warfare

Statement by Benjamin V. Cohen¹

In view of Mr. Malik's statement reiterating past statements that the United States was trying to divert the work of the Commission from any consideration of the regulation of bacteriological warfare, I am obliged to clarify the position of the United States on this subject. Mr. Malik has sought again to convey the impression that, because we do not view with enthusiasm his proposal to have the nations of the world adopt pious declarations about "prohibiting" the use of gas and bacteriological warfare, we are opposed to any prohibition on the use of gas and bacteriological warfare.

I will not discuss the evident falsity of the charge against the U.N. Command in Korea, for this is not the forum for such matters. However, I would like to set forth briefly the elements of our position on bacteriological warfare.

First of all, just what was this 1925 protocol about which we hear so much from Mr. Malik and the Communist press? It was a protocol for the prohibition of the use in war of asphyxiating, poisonous, or other gases, and of bacteriological methods of warfare. Mr. Malik conveys the impression that the Soviet Union supports the protocol and the United States rejects it. Let us look at the record.

The Soviet Union signed and later ratified the protocol, but with the reservation that it ceased to be binding with reference to states whose armed forces or whose allies failed to respect it. The United States signed but did not ratify the protocol. For various reasons, some of which were

¹ Made in the Disarmament Commission on May 27 and released to the press by the U.S. Mission to the U.N. on the same date.

not connected with the substance of the protocol, the U.S. Senate did not consider the document to be the best way of meeting the principal concern of the protocol, which was the problem of gas warfare. The U.S. attitude on the use of this type of warfare, however, is best evidenced by our record in World War II. The record is that the United States did not use this type of warfare, although it was probably the precautionary preparations of the United States in this field that deterred Hitler from resorting to this type of warfare.

During the period between the two great wars, however, there were some who thought that states could place trust in paper pledges of certain other states. Bitter experience has taught us that such pledges by some states are valueless.

"Paper Pledge" Obsolete

In 1947, following our experiences with the paper pledges of certain states, President Truman withdrew the protocol from the Senate, for it was evident that the paper pledge approach had become obsolete. There had been too many incidents of treaty violations which have been concealed under the covering technique of the big lie. If there is to be disarmament, it must be universal. It would be sheer lunacy for the free world to start disarming in exchange for mere paper promises without safeguards. Those who make false charges concerning the use of bacteriological warfare can just as easily make false promises not to use bacteriological warfare.

The obsolescence of the paper pledge approach to bacteriological warfare is best illustrated by considering the limited nature of the promise made by the Soviet Union in the 1925 protocol and the recent Soviet propaganda charges about bacteriological warfare. The Soviet Union did not agree to stop manufacturing weapons for gas warfare or bacteriological warfare. The Soviet Union did not even promise not to use gas warfare and bacteriological warfare; it merely promised, in effect, not to use such weapons first. With the Soviet practice of accusing others of what they themselves plan to do, we fear that they would have no qualms about making a false accusation and immediately thereafter launching a bacteriological warfare attack. What protection do they offer us against such a maneuver? The importance of the limited nature of the 1925 promise is brought into tragic and ominous focus by the present situation: If every member of the United Nations were to sign the 1925 protocol this morning, this afternoon the Soviet Union, having already hurled the lie about U.N. use of bacteriological warfare in Korea, would be free, under its own reservation to the protocol, to use such warfare against any U.N. member. It is obvious that there is no security at all in an arrangement such as this.

Much has been said of late about U.S. research in the field of bacteriological warfare. Since we follow a policy of openness, we make no effort to conceal such matters. In a world where some nations cover all their activities with the cloak of secrecy, research is the only means by which nations can devise defenses against the sudden use of bacteriological warfare by possible aggressors.

I have in my hand, for example, an official U.S. Government booklet, *What You Should Know About Biological Warfare*, published by the Federal Civil Defense Administration and offered for sale by the U.S. Government Printing Office at a price of 10 cents, which explains the nature of these weapons in simple terms and advises the American people on how to defend themselves in the event of a bacteriological attack.

Certainly it is true that at least all Great Powers are capable of launching bacteriological warfare attacks. This is not a recent development. The Soviet Union years ago proclaimed its ability to strike with bacteriological weapons. For example, on February 22, 1938, Marshal Voroshilov then Commissar of Defense, said:

Ten years ago or more the Soviet Union signed a convention abolishing the use of poison gas and bacteriological weapons. To that we still adhere but if our enemies use such methods against us I tell you we are prepared and fully prepared to use them also and to use them against aggressors on their own soil.

It is this basic fact, the ability of nations to launch bacteriological warfare attacks, that the United States and other nations are trying to rectify. We want to eliminate such weapons. Only after this is accomplished can the people of the world have some feeling of security.

Need for Foolproof Arms Reduction System

The important problem facing the world is not a 27-year old protocol, which under modern conditions and in the light of the practices of some states has become obsolete. The important question is what nations today, in 1952, are willing to do to bring about a foolproof system of arms reduction that will include the elimination of all weapons of mass destruction. The Soviet Union has so far been unwilling to agree to the international control of atomic energy and the establishment of an effective system of limitation, regulation, and balanced reduction of armed forces and armaments. In order to deflect attention from their refusal even to make a serious effort to reach agreement on such a program, Soviet leaders have concocted a scheme to focus attention on the 1925 protocol, which, as we have seen, offers no security.

What is the true solution to our problem? What would bring a greater sense of security to the world? It is the establishment of a system to eliminate the possibility of bacteriological warfare by eliminating bacteriological weapons.

That is what the United States wants to bring about. This cannot be done, however, by a paper pledge. It can be done as a part of a general program of regulation, limitation, and balanced reduction of all armed forces and armaments. Bacteriological weapons can be eliminated only if certain states are willing, as the United States is willing, to establish an effective system of safeguards. The technical safeguards connected with bacteriological warfare would differ from those of atomic energy and also from those in connection with other types of nonatomic weapons in that different materials and techniques would be involved.

The first and all-important safeguard against bacteriological warfare, however, is an open world, a world where no state could develop the military strength necessary for aggression without other states having ample warning and the opportunity to protect themselves. Other feasible safeguards, such as industrial, would be desirable and can be developed.

So long as the present situation prevails, however, we must continue to be prepared to defend ourselves.

Not paper pledges to refrain from being the first to use certain weapons but elimination of those weapons through a foolproof disarmament program—that is what the world desperately needs today. That is what the United States is ready to effect. And if the Soviet Union were prepared to cooperate, it could be effected. We hope that the Soviet Union will reverse its position and cooperate with us in working out a comprehensive, effective, and balanced disarmament program.

Working Party To Study World Rubber Supply

[Released to the press May 12]

The following communiqué was released by the International Rubber Study Group on May 9:

1. The ninth meeting of the International Rubber Study Group held in Ottawa under the chairmanship of A. F. W. Plumptre, head of the Canadian delegation, ended on May 9. The vice chairmen were M. C. Lakshnakara Kashemsanta, head of the Thai delegation, and Dr. R. Blankenfeld, head of the delegation of the Federal Republic of Germany.

2. The meeting was attended by delegations of Australia, Belgium, British Colonial and dependent territories, Burma, Canada, Ceylon, Denmark, Federal Republic of Germany, France, Indonesia, Italy, Japan, Liberia, Netherlands, Thailand, United Kingdom, United States of America, and Vietnam, and by observers from the United Nations, the Food and Agriculture Organization, the

Organization for European Economic Cooperation, the Organization of American States, and the International Rubber Development Committee.

3. Very full information concerning the policies and problems of member governments was exchanged. A number of short-term and long-term problems of special concern to member governments, to the producing and manufacturing industries, and to the rubber trade were discussed and where necessary these will be further considered by the governments and other parties concerned.

4. The group noted that many of its members were greatly concerned about the uncertainties of rubber production, consumption and price and, because of considerable variety of opinion as to the best method of attempting to solve these problems, the group resolved to pursue the matter by establishing a working party with the following terms of reference:

To consider whether measures designed to prevent burdensome surpluses or serious shortages of rubber are necessary and practicable; to prepare drafts of any agreements required to implement such measures; and to report back to the study group as soon as possible.

It was agreed that membership of the working party should be open to all members of the group who wish to be represented on it.

5. The group examined the world statistical position and made estimates for natural and synthetic rubber production and consumption during 1952. It was estimated that the world production of natural rubber would be around 1,690,000 long tons, while production of synthetic in member countries would be around 910,000 long tons. In regard to consumption it was estimated that the world might consume, i. e., turn into manufactured goods, 1,450,000 long tons of natural rubber and approximately 875,000 long tons of synthetic rubber, apart from the synthetic rubber produced in nonmember countries. The balance of estimated production over estimated consumption of both natural and synthetic rubber was expected to be absorbed into governmental and commercial stocks.

6. The group also considered the world statistical position of natural rubber latex, and estimated that world production in 1952 might be about 85,000 long tons (dry rubber content) while consumption might be in the neighborhood of 90,000 long tons (dry rubber content). It is estimated that stocks are sufficient to cover the difference between consumption and production for 1952. The figures for natural rubber latex production and consumption are included in the estimates given for world production and consumption of natural rubber.

7. The group also noted that the rubber reclaiming capacity in member countries had risen by about 100,000 long tons since 1945.

8. The group continued its policy of examining problems concerning the expansion of world

consumption of rubber. It considered that the development and improvement of highway systems in all countries were the most effective means of encouraging the increased use of vehicles with an attendant enhanced rubber consumption.

It also considered that the progress made in regard to the use of rubber in the construction of roads since the last meeting had been very satisfactory. Demonstration roads had been laid in many parts of the world totaling several hundred miles in length.

9. The group examined a number of problems relating to the packing, shipping and marketing of natural rubber. The need for improvement in packing and quality was stressed and, while it was agreed that the type samples which are now ready should stand, it seemed desirable to extend the range by adding two new types.

It was also agreed that the experience gained in 1952 should be carefully reviewed and a report thereon submitted to the group in 1953.

The group also reviewed developments in the supply of technically classified natural rubber and noted that some 8,000 tons had been provided during 1951 from Cambodia, Vietnam, and Malaya.

10. Belgium, British Colonial and independent territories, Ceylon, France, Indonesia, Liberia, the Netherlands, Thailand, the United Kingdom, and the United States of America will be the members of the management committee for the coming year.

11. The group welcomed the invitation of the Danish Government to hold its next meeting in Copenhagen at a date to be decided later.

Table No. 1: Estimated natural rubber production in 1952

Territory	(In thousand long tons)
Malaya	550
Indonesia	675
Ceylon	105
Vietnam and Cambodia	60
Thailand	100
British Borneo	60
Burma	10
Liberia	36
British Africa	20
Belgian Africa	18
French Africa	4
Other countries	52
Total	1, 690

Table No. 2: Estimated synthetic rubber production in 1952

Territory	(In thousand long tons)
United States	*825
Canada	*79
Germany	6
Total	910

*Figures for GRS cold rubber are inclusive of oil content.

Table No. 3: Estimated natural and synthetic rubber consumption in 1952

Territory	Natural	Synthetic*	Total
United States	465	790	1, 255
United Kingdom	210	4	214
Belgium	15	1	16
Denmark	6	(**)	6
France	124	13	137
Federal Republic of Germany	88	12	100
Italy	38	8	46
Netherlands	15	1	16
Australia	39	(**)	39
Canada	39	35	74
Japan	55	2	57
Other countries	356	9	365
Total	1, 450	875	2, 325

*Excluding Russian produced synthetic rubber.

**A small amount of synthetic rubber is expected to be used.

Improved Position of Dissolving Wood Pulp

The Pulp-Paper Committee of the International Materials Conference on May 13 announced that its member governments have unanimously accepted its recommendation that no allocation of dissolving wood pulp be made at this time. The Committee, however, is to keep short-term dissolving wood-pulp supply problems under review and to recommend allocations or other action if necessary.

Dissolving wood pulp is a basic raw material in the manufacture of synthetic fibers and plastics which have many defense applications such as rayon for clothing, high tenacity cords for tires, and plastic substitutes for metals.

The Committee's decision follows a report that the 1952 dissolving wood pulp situation in the free world indicates total production of approximately 2,263,000 metric tons and total requirements of approximately 2,230,000 metric tons, thus showing supply and demand well in balance.

This report, based largely on reporting countries, own estimates of requirements and production, confirms 1951 indications of a trend toward an easier supply position in 1952. Previous studies of the Committee had indicated an approximate deficit of 10 percent for the year 1951, but no recommendations for assistance were made at that time because the effect of other factors on wood pulp demand could not be fully assessed.

An important factor in the improved position is the increased production of supplying countries. The Committee estimates that production in 1952 will be approximately 10 percent larger than in the previous year.

The 1952 consumption requirements of leading consuming countries show moderate increases over last year. Moreover, in arriving at a balance between supply and demand for 1952, a substantial

increase in free-world stocks during this year was taken into account.

Fifteen nations are represented on the Pulp-Paper Committee. They are Australia, Austria, Belgium, Brazil, Canada, France, the Federal Republic of Germany, Italy, Japan, Mexico, the Netherlands, Norway, Sweden, the United Kingdom, and the United States.

Communiqués Regarding Korea To the Security Council

The Headquarters of the United Nations Command has transmitted communiqués regarding Korea to the Secretary-General of the United Nations under the following United Nations numbers: S/2592, April 9; S/2594, April 10; S/2601, April 14; S/2602, April 14; S/2603, April 15; S/2604, April 16; S/2606, April 17; S/2607, April 18; S/2609, April 21; S/2610, April 22; S/2612, April 23; S/2613, April 24; S/2614, April 25; S/2622, May 2; S/2623, May 5; S/2626, May 7; S/2628, May 9.

U.S. Delegations to International Conferences

Conference on Large Electric High Tension Systems

The Department of State on May 27 announced that the fourteenth session of the International Conference on Large Electric High Tension Systems (CIGRE) will convene at Paris on May 28. The U.S. delegation to this Conference is as follows:

Chairman

Carl H. Giroux, Special Assistant to the Chief of Engineers, Department of the Army

Vice Chairman

Frederic Attwood, Chairman, U.S. National Committee of CIGRE, 50 Church Street, New York

Delegates

Francis L. Adams, Chief, Bureau of Power, Federal Power Commission

Edward P. Eardley, Chief Engineer, Water and Power Operations, Office of the Secretary, Department of the Interior

L. N. McClellan, Chief Engineer, Bureau of Reclamation, Department of the Interior, Denver, Colo.

Sol E. Schultz, Chief Engineer; Acting Assistant Administrator, Bonneville Power Administration, Department of the Interior, Portland, Oreg.

The International Conference on Large Electric High Tension Systems was founded in March 1921 under the aegis of the International Electrotechnical Commission. The Conference is a nongovernmental organization composed of 1,650 permanent members from 35 countries and 2,000 corresponding members from various parts of the world. The

purpose of the Conference is to promote the exchange of technical information on the production and transmission of high tension electric currents. The last (thirteenth) session of the Conference, held at Paris, June 29-July 8, 1950, was attended by over 1,235 engineers, scientists, and technicians from 42 countries and territories.

The work of the forthcoming Conference will be divided into four sections, which will consider the following subjects: (1) generation, transformation, and cutting of current; (2) construction, insulation, and maintenance of overhead and underground lines; (3) operation, protection, and interconnection of networks; and (4) power transmission over 220 kv.

Arrangements have been made for a number of post-Conference tours which will enable the participants who so desire to visit various water power and generating plants in France and Sweden.

International Whaling Commission

The Department of State announced on May 28 that the fourth annual meeting of the International Whaling Commission will convene at London on June 3, 1952. The U.S. delegation to the meeting is as follows:

U.S. Commissioner

Arthur Remington Kellogg, Director, United States National Museum

Deputy U.S. Commissioner

John Laurence Kask, Chief, Office of Foreign Activities, Fish and Wildlife Service, Department of the Interior

Adviser

William Kling, Second Secretary, American Embassy, London

The International Whaling Commission was established pursuant to the International Convention for the Regulation of Whaling, which was signed at Washington, D.C. on December 2, 1946, and entered into force on November 10, 1948. The United States is one of 17 contracting governments comprising the membership of this Commission. The Commission is charged with responsibility, within the framework of the convention, for safeguarding the whale stocks of the world. Within strictly defined limits, the Commission may amend the schedule, an integral part of the convention, by adopting regulations designating protected species, fixing closed seasons and waters, limiting total catches and the sizes of whales taken, defining standards for measurement of whales, and establishing requirements for statistical and other records.

The fourth annual meeting will be concerned with such matters as possible amendments to the schedule of the convention; action taken by contracting governments to promulgate certain laws and regulations concerning whaling in conformity with the provisions of the convention; invitations

extended to the Governments of Honduras and Portugal to adhere to the International Whaling Convention; and the budget for the Commission for the fiscal year beginning June 1, 1952.

The last (third) annual meeting of the International Whaling Commission was held at Capetown, Union of South Africa, July 23-27, 1951.

Sixth Session of ICAO

On May 27 the Department of State announced that the sixth session of the Assembly of the International Civil Aviation Organization (ICAO) will convene at Montreal, on May 27. The U.S. delegation to this Assembly is as follows:

Delegates

J. Paul Barringer, Acting Director, Office of Transport and Communications, Department of State; *Chairman*
Paul A. Smith, U.S. Representative on the Council of the International Civil Aviation Organization; *Vice Chairman*

Members

David M. French, Division of International Administration, Department of State
Alfred Hand, Assistant to Deputy Administrator for Program Planning, Civil Aeronautics Administration
Edmund H. Kellogg, Office of United Nations Economic and Social Affairs, Department of State
Joan H. Stacy, Aviation Policy Staff, Department of State

The International Civil Aviation Organization was established under the Convention on International Civil Aviation concluded at Chicago on December 7, 1944. ICAO, a specialized agency of the United Nations, came into being on April 4, 1947, following ratification of the convention by the twenty-sixth State. The convention received the advice and consent of the Senate on July 25, 1946, and was ratified on August 6, 1946.

Fifty-seven contracting states comprise the membership of the Organization, which functions through an Assembly, a Council, an Air Navigation Commission, an Air Transport Committee, a Legal Committee, a Secretariat, and a number of technical divisions and such *ad hoc* technical and regional meetings as are determined essential. The last (fifth) session of the Assembly was held at Montreal, June 5-18, 1951.

The agenda for the sixth session of the Assembly is of limited scope and is devoted principally to consideration of items relating to budgetary, fiscal, and administrative problems of ICAO. Specific agenda items include the following: review of expenditures and approval of accounts for 1951; the 1953 budget; report on arrangements to settle contributions in arrears; suspension of voting power of contracting states failing to discharge their financial obligations to the Organization; apportionment of expenses of ICAO among contracting states; adoption of standing rules of procedure for future sessions of the Assembly; and reports by various commissions and committees of the Assembly and action thereon.

Current United Nations Documents: A Selected Bibliography¹

Trusteeship Council

- Conditions in the Trust Territory of Western Samoa. Working Paper prepared by the Secretariat. T/L.231, February 25, 1952. 30 pp. mimeo.
- Land Utilization in the Trust Territory of the Pacific Islands. Memorandum submitted by the Government of the United States of America. T/AC.36/L.33, January 8, 1952. 9 pp. mimeo.
- Situation in the Trust Territories of the Pacific. Observations of the United Nations Educational, Scientific and Cultural Organization on the Reports for 1950-1951 on the Trust Territories of Western Samoa, New Guinea, Nauru and the Pacific Islands. Letter Dated 22 February from the Director-General of the United Nations Educational, Scientific and Cultural Organization to the Secretary-General of the United Nations. T/962, February 27, 1952. 24 pp. mimeo.
- Conditions in the Trust Territory of New Guinea. Working Paper prepared by the Secretariat. T/L.242, March 4, 1952. 51 pp. mimeo.
- Conditions in the Trust Territory of New Guinea. Working paper prepared by the Secretariat. T/L.242/Corr.1, March 28, 1952. 5 pp. mimeo.
- Conditions in the Trust Territory of New Guinea. Report of the Drafting Committee. T/L.252, March 28, 1952. 7 pp. mimeo.
- Conditions in the Trust Territory of the Pacific Islands. Report of the Drafting Committee. T/L.253, March 28, 1952. 33 pp. mimeo.
- Conditions in the Trust Territory of Western Samoa Under New Zealand Administration. Summary of the observations made by individual members of the Council during the general discussion and of the comments of the special representative of the Administering Authority. T/L.261, March 31, 1952. 14 pp. mimeo.
- Conditions in the Trust Territory of Nauru. T/L.262, March 31, 1952. 7 pp. mimeo.
- Conditions in the Trust Territory of New Guinea. T/L.263, March 31, 1952. 15 pp. mimeo.
- Conditions in the Trust Territory of the Pacific Islands Under the Administration of the United States of America. T/L.264, April 1, 1952. 11 pp. mimeo.
- Examination of Petitions. Somaliland Under Italian Administration. T/975, April 7, 1952. 34 pp. mimeo.
- Report of the United Nations Visiting Mission to Trust Territories in East Africa (1951) on Tanganyika (T/946, T/946/Corr.1). T/977, April 8, 1952. 37 pp. mimeo.
- Suggested Outline for Report on Rural Economic Development of Trust Territories. Working paper submitted by the Delegation of the United States of America. T/AC.36/L.44, April 15, 1952. 5 pp. mimeo.

¹ Printed materials may be secured in the United States from the International Documents Service, Columbia University Press, 2960 Broadway, New York 27, N. Y. Other materials (mimeographed or processed documents) may be consulted at certain designated libraries in the United States.

The United Nations Secretariat has established an Official Records series for the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, and the Atomic Energy Commission which includes summaries of proceedings, resolutions, and reports of the various commissions and committees. Information on securing subscriptions to the series may be obtained from the International Documents Service.

The United States in the United Nations

[May 30-June 5, 1952]

Security Council

Disarmament Commission—The United States-French-United Kingdom proposals for determining over-all numerical limitations on all armed forces was further discussed at the Disarmament Commission meeting on June 3. Mr. Malik (U.S.S.R.) stated that the Soviet Union's attitude toward these proposals would depend on whether they provided for a decision on the reduction of armed forces and the prohibition of atomic weapons and other weapons of mass destruction. He questioned whether the tripartite plan meant to include air and naval forces and said that the Soviet Union could not agree to discuss the proposals without the participation of the representatives of the Communist People's Republic of China. He also remarked that it should be assumed that a Disarmament Commission decision would be a "decision" and not just a recommendation to a conference to go into details. In closing, he indicated that the U.S.S.R. reserved the right to ask additional questions of a substantive nature before it could make a definite reply, as he was not satisfied with the present clarifications of the sponsors.

Sir Gladwyn Jebb (U.K.) replied to Mr. Malik's questions. He stated that the sponsors could not accept the Soviet thesis that a decision to reduce armed forces and prohibit atomic weapons would have to precede the elaboration of a disarmament plan as Mr. Malik seemed to indicate in his first question. He pointed out that the Commission had to prepare a plan covering the whole disarmament problem. The tripartite proposals dealt with a very important element of such a plan, and agreement on the reductions proposed should greatly lessen the likelihood and the fear of successful aggression and should facilitate agreement on other essential parts of a comprehensive disarmament program, including the elimination of all major weapons adaptable to mass destruction and the effective international control of atomic energy to insure the prohibition of atomic weapons and the use of atomic energy for peaceful purposes only. The Commission would then be in a position to take a decision to make recommendations to a conference of all states, in accordance with General Assembly resolution of January 11, 1952, for

a draft treaty or treaties which would deal with all aspects of disarmament. The conference would be able to take a comprehensive decision that the treaty or treaties should be accepted and should go into effect.

Sir Gladwyn also pointed out that the term "China" was used to indicate the country and not the government. It was evident that the proposed ceiling would apply to all Chinese armed forces in China. He referred to the differences of opinion on what government represented China, and said it would be premature to consider what countries or authorities not represented on the Disarmament Commission should be consulted at a later stage. However, this should not preclude consideration of the tripartite proposals any more than it had precluded discussion of the Soviet proposals referring to China.

Mr. Moch (France) endorsed the views expressed by Sir Gladwyn Jebb and noted that Mr. Malik insisted on darkening the issues even when given clear answers. The sponsors of the tripartite proposals agreed that the plan was only a part of the whole. It was clear that France and all the other governments would not be contented with the reduction of armed forces if it was not accompanied by the prohibition of atomic weapons and other weapons of mass destruction. He also stated that naval and air forces were included in the tripartite plan.

Mr. Cohen (U.S.) stated he was in full accord with the replies made by the representatives of France and the United Kingdom and quoted from his statement made at the previous meeting to make it clear that limiting the size of permitted armed forces was only part of the task. The Commission's work should include the relationship of the Three Power proposals to other components of a comprehensive program.

Ambassador T. F. Tsiang (China) criticized the Three Power plan since, he said, it might cause consequences contrary to the purposes of the sponsors. The Chinese people alone could decide what political and economic regime there would be in China in the future, and not the Commission.

Economic and Social Council

ECOSOC—The Council devoted the greater part of 4 days, May 26-June 2, to the discussion of

items 6 and 7—"International Cooperation on Water Control and Utilization" and "Development of Arid Lands." It discussed the two reports prepared by the Secretary-General on (1) the work being done by the specialized agencies and other international organizations engaged in the broad field of water control and utilization, and (2) practical measures adopted for the study of the problems of arid zones and on the technical and financial means employed by the specialized agencies for this purpose. Isador Lubin, United States representative, predicted that "these reports will constitute milestones on the road to effective international cooperation in the development of the world's water resources and open vast new possibilities for improved standards of living in many parts of the world." He introduced a draft resolution calling upon the United Nations to assume leadership in the promotion of joint planning for international cooperation on water control and utilization. This resolution, as amended and sponsored jointly by Belgium, Canada, France, the Philippines, and the United States, was adopted 15-0-3 (Soviet bloc).

The Council, June 2, began general debate of the annual agenda item on "The World Economic Situation," with special consideration of the Secretariat report on "World Economic Report, 1950-51." Statements were made by the representatives of Belgium, Cuba, France, Pakistan, the Philippines, Sweden, and the United Kingdom in which the need was stressed for international measures of one kind or another to maintain world economic stability. They urged that efforts be concentrated on aid to underdeveloped areas, relaxation of trade restrictions, and bolstering financial reserves in non-dollar areas, especially by expansion of imports into the United States.

Mr. Lubin (U.S.) stated that "The economy of the free world has adjusted to the heavy burdens of defense with far fewer adverse consequences during the transition period than most people deemed possible." Despite the United States defense effort, assistance to underdeveloped countries had been increased and such aid would continue to be a cardinal point in the United States foreign policy. He also noted that since the middle of 1951 United States imports have again resumed their upward trend. In summing up, he said,

The people of the United States are determined to maintain high levels of demand and to continue to trade their products on a large scale with the people of other peace-loving countries. They are determined to have an expanding economy, not only at home but also abroad. They know that only an expanding economy can provide reasonable over-all stability and individual economic security within a framework of genuine democracy and freedom.

Commission on Human Rights.—The Commission, as of May 26, began consideration of the 18 draft articles for inclusion in the Covenant

on Civil and Political Rights. The following draft articles were considered and approved:

The U.S.S.R. draft article, together with amendments proposed by Chile, United States, and Yugoslavia, stating that no one shall be arbitrarily deprived of life and that everyone's right to life shall be protected by law, was approved by a vote of 11 (U.S.)-4-3.

An article was approved, 14 (U.S.)-0-4, insuring that

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation involving risk, where such is not required by his state of physical or mental health.

Two articles were adopted prohibiting, respectively, arbitrary arrest or detention and imprisonment for debt.

The other articles approved included (1) freedom of movement of an individual legally within the territory of a State; (2) prevention of unlawful expulsion of an alien from a State where he has taken asylum; (3) the right of freedom of thought, religion, and conscience; and (4) the right of freedom of opinion, expression, and information. This last article, which was adopted by a vote of 12 (U.S.)-3 (Soviet bloc)-3 (U.K., Yugoslavia, Egypt), states, in part,

Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression, this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice. The exercise of the rights provided for in the foregoing paragraph carries with it special duties and responsibilities. It may therefore be subject to certain restrictions; but these shall be such only as are provided by law and are necessary. . . .

Trusteeship Council

The Council opened its eleventh session at United Nations Headquarters on June 3. Awni Khalidy (Iraq) was elected president and William O. Forsyth (Australia), vice president. The United States motion to postpone consideration of the Soviet proposal regarding Chinese representation was approved 11-1 (U.S.S.R.)-9.

Among the items to be considered in the 16-point agenda are (1) annual reports of the administering authorities on the political, economic, social, and educational conditions in each of the seven trust territories in Africa; (2) petitions from the peoples in these trust territories; (3) reports of several committees, including the Standing Committee on Administrative Unions and the Committee on Rural Economic Development of Trust Territories; and (4) reports of the Visiting Mission to the Trust Territories in East Africa.

Department Policy on Issuance of Passports

[Released to the press May 24]

The Department of State has been asked what authority the Secretary of State has in regard to the issuance of passports and what the Department's policy is in regard to the denial of passports. The following information is provided in answer to these questions:

1. The Secretary of State has discretionary authority in the issuance of passports, both as a power inherent in the exercise of the Presidential authority to conduct foreign relations and as a matter of statutory law.

2. Various Secretaries of State have exercised the right to refuse passports or withdraw passports already issued. Various courts and attorneys general of the United States have rendered opinions in which the discretionary authority of the Secretary of State in the issuance of passports has been recognized. In an opinion of August 29, 1901, the Attorney General stated:

Substantial reasons exist for the use by Congress of the word "may" in connection with authority to issue passports. Circumstances are conceivable which would make it most inexpedient for the public interests for this country to grant a passport to a citizen of the United States. For example, if one of the criminal class, an avowed anarchist for instance, were to make such application, the public interests might require that his application be denied.

Without expressing any opinion as to whether a passport should be granted to Ng Faun, I advise you that it may, in your discretion, be granted or withheld.

In the case of *Perkins v. Elg*, 307 U. S. 325 (1939), the Supreme Court, after holding that the Secretary of State should be included in a decree declaring the plaintiff to be a natural-born citizen of the United States, had the following to say:

The decree in that sense would in no way interfere with the exercise of the Secretary's discretion with respect to the issue of a passport but would simply preclude the denial of a passport on the ground that Miss Elg had lost her American citizenship.

3. For many years the Department has refused passports to persons for many reasons. For example, passports are denied when evidence in the Department's files shows that the applicant for the passport is a fugitive from justice or mentally ill or likely to become a public charge abroad, et cetera.

4. For many years the Department has also refused passports to persons when it had in its files clear evidence that they had, on previous trips abroad, engaged in political activities in foreign countries.

5. The Department reexamined its policy respecting the issue of passports to Communists and persons believed to be Communists and subversives after both the judicial and legislative

branches of the Government had made certain findings concerning the Communist movement in the United States. The U.S. Court of Appeals for the Second Circuit, in upholding the conviction of the 11 leading Communists in New York, found that the conspiracy in which they were participants was a "clear and present danger to the United States." The Congress of the United States, in the Internal Security Act of 1950, made these findings: That there exists a world-wide Communist revolutionary movement, the purpose of which is by treachery, deceit, espionage, and sabotage to establish a Communist totalitarian dictatorship in countries throughout the world; that, due to the world-wide scope of the movement, the travel of Communist members, representatives, and agents from country to country is a prerequisite for the carrying on of activities to further the purpose of this revolutionary movement; and that individuals in the United States, by participating in this movement, in effect, repudiate their allegiance to the United States and transfer their allegiance to the foreign country which controls the Communist movement.

It was decided that, in view of the findings by the court and the Congress, it would be inappropriate and inconsistent for the Department to issue a passport to a person if information in its files gave reason to believe that he is knowingly a member of a Communist organization or that his conduct abroad is likely to be contrary to the best interests of the United States. This policy has been followed since February 1951, and, in view of the national emergency proclaimed by President Truman and the conditions existing in various areas of the world, it is believed that it should be closely adhered to.

6. A passport certifies to foreign governments not only the citizenship and identity of the bearer, but requests them to permit him safely and freely to pass and, in case of need, to give all lawful aid and protection. Possession of the passport indicates the right of the bearer to receive the protection and good offices of American diplomatic and consular officers abroad. The right to receive the protection of this Government is correlative with the obligation to give undivided allegiance to the United States. A person whose activities, either at home or abroad, promote the interests of a foreign country or a political faction therein to the detriment of the United States or of friendly foreign countries should not be the bearer of an American passport.

7. Passports are refused only on the basis of very clear and definite reports from the investigative and security offices of this Department and of other Government departments and agencies and from foreign governments containing well-authenticated information concerning past and present activities and associations of the applicant. The decision not to issue a passport or to withdraw a passport already issued does not repre-

sent the judgment of the Passport Division alone, but is reached after consultation by responsible officers of the Passport Division with security officers, and political and administrative officers of the Department. This group varies according to the area or areas in which the applicant desires to travel. The decision is therefore the decision of the Department.

8. Any applicant who has been refused a passport has every right and is given every opportunity to request further consideration of his case and may present any evidence or information which he may wish to have considered. The particularity with which he may be informed of the contents of the reports in the Department's file depends, of course, upon the source and classification of such reports, but it is usually possible to inform him in a general way of the nature of the evidence and the information upon which he has been refused a passport. Any new evidence or in-

formation which the applicant may submit is referred to the officers who first examined the case for evaluation and expression of opinion as to whether a passport may be issued. The Department cannot violate the confidential character of passport files by making public any information contained therein.

9. The Secretary of State has the authority to establish any administrative procedures respecting passports which he may deem appropriate. These procedures are under constant review and a continuing effort is made to see that they are fair and efficient. There is a board in the Passport Division for questions of loss of nationality. The consultations between officers of the Passport Division and officers of other divisions of the Department and with the Foreign Service abroad, in effect, constitute in a given case a most fair and comprehensive board of review action in the denial of a passport in the interests of the United States.

Continued Support Urged for Refugee Resettlement

by Under Secretary Bruce¹

Over the past several years, and particularly since the end of the war, the Congress has shown a keen awareness of the problems of refugees, displaced persons, and escapees. American leadership and financial support in the field of international action for the relief and resettlement of refugees has been continuously active since 1938. The record is one of which we can all be proud. It is in the finest tradition of the American people.

Our efforts have been directed along three lines: (1) care for refugees and assistance in their resettlement; (2) providing haven in this country for some refugees; and (3) assistance in the problems created by the existence of surplus populations in certain Western European countries.

Concerning care and resettlement of refugees, the Intergovernmental Committee for Refugees

(IGCR) was organized in August 1938 as a result of the conference convened at Evian on the initiative of President Roosevelt. The objective of the Committee was to find new homes for some 700,000 refugees who were forced to leave Germany, Austria, and Czechoslovakia as a result of the persecutions of the Nazi regime. The Committee, in the first instance, was composed solely of immigrant-receiving countries, but later, in 1943, its membership was expanded to include 36 of the allied and neutral countries. In its prewar activities, the Committee endeavored to find new places of resettlement for the refugees from Central Europe, and during 1944 and 1945 collaborated very closely with the U.S. War Refugee Board in securing the escape of refugees from Hitler-dominated Europe.

From 1945 to 1947, the activities of the Committee were intensified in stimulating the resettlement of refugees out of Europe. The U.S. Government contributed approximately 2½ million dollars to the Committee's expenditures and shared all operating expenditures on a 50-50 basis with the United Kingdom. In the spring of 1947

¹ Excerpts from a statement made before the Subcommittee on Immigration of the House Judiciary Committee on May 22 and released to the press on the same date. For a message from the President to the Congress on Mar. 24 requesting legislation to aid refugees, see BULLETIN of Apr. 7, 1952, p. 551.

the Committee was responsible for the movement of the first boatload of refugees from Germany to Paraguay. The Committee ceased operations on June 30, 1947.

Review of U.S. Leadership in Relief Activities

The U.S. Government took the leadership in organizing the United Nations Relief and Rehabilitation Administration (UNRRA) in September and October 1943 and contributed slightly more than 70 percent of its total expenditures. From the very beginning, a Displaced Persons Division was established in UNRRA which assumed responsibility, with the Allied Occupation authorities, for the housing and the administration of camps holding 8½ million refugees and displaced persons found in Central Europe at the end of the war. Approximately 7½ million of these were repatriated by the Allied Occupation authorities and UNRRA before the termination of UNRRA's operations on June 30, 1947.

The United States assumed leadership in the organization of the International Refugee Organization (IRO) during 1946 and 1947. IRO on July 1, 1947, assumed responsibility for the care and maintenance, and repatriation and resettlement of 1½ million refugees and displaced persons in Europe transferred to it by UNRRA and the Intergovernmental Committee on Refugees. In its 4½ years of service, IRO registered 1,619,008 refugees, arranged for the resettlement overseas of 1,057,955 in 48 countries and repatriated 72,834 to their 35 countries of origin. The Organization also provided for the continuing care in hospitals, institutions, or elsewhere, for 31,740 persons, including dependents, who were unable for reasons of age, illness, or physical defect to earn their own livelihood. Eighteen governments and a number of voluntary agencies, mostly American, collaborated in this effort. The Organization raised and spent 430 million dollars of which the United States contributed \$237,116,355. IRO discontinued operations on January 31, 1952.

Anticipating the eventual termination of IRO, the United States participated within the United Nations during 1949 and 1950 in the establishment of the Office of the High Commissioner for Refugees, the primary function of which is to extend protection to refugees in their new countries of residence until they acquire citizenship.

The activities of the United States in the refugee field have not, of course, been limited to Europe. In 1948 the United States took the leadership in the U.N. General Assembly in establishing the United Nations Relief for Palestine Refugees and was instrumental in establishing in 1949 the successor agency, the United Nations Relief and Works Agency for Palestine Refugees. With respect to the Far East, the United States has also taken the leadership within the United Nations to establish the United Nations Korean Reconstruc-

tion Agency. Thus the United States has been active on a world-wide basis to assist in caring for refugees.

Concerning the second field of our efforts, the United States has admitted to our own shores large numbers of refugees. In December 1945, President Truman directed the competent Federal agencies to take full advantage of existing immigration laws to grant admission to the United States of refugees from Germany and Austria. Some 42,000 were admitted to the United States under this directive by June 30, 1947.

The Displaced Persons Act of 1948 provided for the admission of 205,000 refugees who had arrived in Germany, Austria, and Italy prior to December 22, 1945. The amended Displaced Persons Act of 1948 went into effect on June 16, 1950, and extended the benefits of the act to those who had arrived in those countries prior to January 1, 1949. The authorization for visa issuance under the act was increased from 205,000 to 341,000. In addition, the admission of 5,000 nonquota war orphans and 54,744 German expellees was authorized. To date, 323,942 refugees have entered the United States under sections 2 and 3 of the act, and 27,096 German refugees under section 12, totaling 351,038. Visas may be issued to German refugees until June 30, 1952, and it is anticipated that all visas authorized for them will be issued well before that date.

In the third field—overpopulation—Congress and the Department have recognized the problems created by the existence of surplus populations in Europe. Not only has Western Europe been burdened with thousands of refugees whose welfare is of concern to us, but in many areas, particularly those which have traditionally been sources of migrants, there developed severe population pressures. This condition, particularly when combined with a refugee problem of significant proportions, has made more difficult the progress toward political and economic stability in Europe.

The Congress has already authorized two programs to relieve the present European situation. With respect to the problem of overpopulation, the Belgian Government, at the request of the U.S. Government, convened a Conference on Migration at Brussels in November and December 1951. Twenty-seven governments attended. Sixteen governments supported a resolution which was adopted establishing the Provisional Intergovernmental Committee on the Movement of Migrants from Europe. The Committee now has a membership of 19 governments and has held two sessions.² It has adopted a budget of 41 million dollars and proposes to move 137,000 migrants,

² For a report on the Conference on Migration and on the first session of the Committee for the Movement of Migrants from Europe, see *ibid.*, Feb. 4, 1952, p. 169; a report on the second session of the Committee appeared *ibid.*, Apr. 21, 1952, p. 638.

including refugees, out of Europe in the calendar year 1952. The United States will make a direct contribution of 10 million dollars to the Committee. Included in the Mutual Security Bill presently under consideration by the Congress is a request for 10 million dollars to cover the U.S. contribution to the Migration Committee for its second year of operation. The migrants and refugees concerned will be transported to Canada, the United States, Venezuela, Brazil, Australia, and New Zealand on ships transferred to the Committee by IRO on its termination. Over 32,000 persons were moved by the Committee in the first 3 months of operation.

With respect to escapees, section 101 (a) (1) of the Mutual Security Act of 1951 authorized the use of Title I funds for any selected persons who have escaped from certain Communist-controlled or Communist-dominated countries or areas of Europe. On March 22, of this year, the President, acting under this authority, authorized a \$4,300,000 program to assist certain refugees who have escaped from behind the Iron Curtain.³

These persons have been granted asylum in the countries bordering the Iron Curtain, notably Western Germany, Austria, Trieste, Italy, Greece, and Turkey, whose governments are now carrying the main responsibility for provision of food and shelter. Assistance in this has also been extended by private voluntary organizations. The escapee program will supplement—but in no sense supersede—these efforts. The program is designed (1) to improve standards of care and maintenance for those who have risked their lives in the hope of finding freedom in the West and (2) to aid in the permanent resettlement of these persons, either locally or overseas, to permit them to reestablish their lives in the free-world community. The Department of State has accepted responsibility for carrying out this program, and action is now proceeding rapidly to commence program operations.

Reduction of Surplus Populations

H. R. 7376 constitutes the next logical step in the continuing efforts on the part of the United States to assist refugees and to reduce surplus populations.

The pressure of surplus population in Western Europe persists in Italy, Western Germany, the Netherlands, and Greece. This problem is intensified by the continued inflow of refugees from the Eastern European countries under Soviet domination. The possibility of assimilating the excess which now exists in Western Europe at a tolerable level of living and advantageous level of productivity is very remote since, even with the rearmament effort, foreseeable employment and resettlement

opportunities are inadequate. Continued emigration on a larger scale than that obtained since the war has been and should further be encouraged as one means of relieving this pressure. It cannot, in our view, be the primary means. The major emphasis must be upon economic improvement within the particular countries and within the European area as a whole. However, overseas emigration is an important factor in any solution of the problem.

The interest of the United States in a solution of overpopulation problems in Europe is substantial, due to the economic burden and the social and political tensions arising from overpopulation. The continued burden of nonproductive people in these countries presents serious handicaps to the successful realization of our primary effort to establish security in Europe. These handicaps constitute a weakness behind the military strength being developed in Western Europe. They are likewise a threat to the economic and political stability upon which a successful military defense must depend.

Within the past 2 years the United States has repeatedly expressed its concern with the problem of overpopulation in certain Western European countries. The British, French, and United States Foreign Ministers in a declaration at London on May 13, 1950, recognized "that the excess of population from which several countries of Western Europe are suffering is one of the most important elements in the difficulties and disequilibrium of the world," and in November 1950 they adopted the report of the conference of experts on migration held at Paris in July and August of that year.

The importance of this problem to European defense and stability has been fully recognized by the North Atlantic Treaty Organization, particularly in resolutions and reports adopted by the ninth session of the North Atlantic Council at Lisbon. The report of the Temporary Council Committee, which was adopted by the Council at Lisbon, emphasized the importance of manpower problems in relation to political as well as economic stability in Western Europe. While noting the possibilities for a certain measure of relief through increased defense production, the report urged the need for a substantial increase in emigration, especially from Italy, for adequate alleviation of the problem. The Committee on the North Atlantic Community, in a report also adopted by the Council, reviewed the manpower situation and drew the conclusion that increased emigration from certain countries is essential to European stability. Representatives of the United States shared in the preparation of these analyses and in the decision to adopt the resulting reports taken by the Council at Lisbon.

Since overpopulation in Western Europe represents a threat to the political and economic security of that area, it has a direct and important effect

³ For the President's notification to the Congress of this authorization, see *ibid.*, Apr. 14, 1952, p. 602.

upon the security and welfare of the United States. Especially in Italy and Western Germany, the problem of overpopulation in its present acute form arises from special circumstances. An emergency international effort, in which the United States shares, to relieve population pressure would serve to reestablish a manageable situation in which the natural increase in population could be absorbed either through domestic integration or normal emigration. It is within that framework that the proposals of H. R. 7376 provide an opportunity for the United States to make a further tangible and effective contribution.

Extending Aid to Iron Curtain Refugees

To the problems of overpopulation has been added the burden created by the presence in Western Europe of approximately 16,000 refugees from communism. These are people who have lost their homes, their property, and often their families. They have a deep hatred for communism; they know from experience what it means. They have a deep love of freedom, having been so long without it.

They have fled from the Baltic countries, from Czechoslovakia and Poland, from Hungary, Rumania, Bulgaria, Albania, and the Soviet Union. They have escaped, but they have not yet found complete freedom—freedom to work and to become useful citizens. It is this opportunity which they now seek.

Due to the conditions under which the refugees must flee their homes, they arrive in Western Europe destitute and are at once faced with the necessity either to fight for a meager existence in a strange land, which already is burdened with surplus population of its own, or to accept gratuitous care with the attendant demeaning of self-respect. If we should leave them to shift for themselves in the already overburdened economies of Germany, Austria, Italy, Trieste, Greece, and Turkey, they will become disillusioned as to what Western democracy really means.

We are helping these refugees. Through the escapee program we will supplement their care

and maintenance and help them to emigrate elsewhere. Because few of them can enter the United States under our present laws, we must rely largely on Australia, Canada, and other governments to accept them. The number of persons who can be moved to these countries is limited. If we are not to be charged with neglect of these enemies of communism, it is essential that we offer to some of them the opportunity to begin life anew in our country.

If these refugees remain in the countries bordering the Iron Curtain, they add to the economic difficulties of these countries already suffering from surplus population and war-weakened economies. This is an element of weakness in areas whose strength is of vital importance to the United States.

It should also be mentioned that we have certain needs ourselves that these refugees can fill. We need information as to what actually happens behind the Iron Curtain so that we may bend our efforts in the proper directions. These needs the refugees are best qualified to fill. We can use their experiences under the terror regime to inform other lands of what existence under communism really means. If utilized and given the opportunity to find the freedom they seek, the refugees could contribute materially to the welfare and security of the United States. If ignored, they could only be a barrier to the accomplishment of our objectives.

We must continue our program of supplementary care given these refugees by the countries which border the Iron Curtain. We must help to feed, clothe, and house them adequately. We must see that they are given the training necessary to enable them to find work and a place in the North Atlantic Community. But these are largely interim measures which are necessary to maintain hope and spirit while they await the opportunity to move onward to new homes. If our policy of resistance to communism is not to appear illusory, it is important that we allow a goodly number of these people who have so well demonstrated their resistance to communism to find the freedom they seek in America.

A Report on the Far East

by General Matthew B. Ridgway¹

MR. PRESIDENT, MR. SPEAKER, DISTINGUISHED MEMBERS OF THE CONGRESS: To be here, before the Members of the Congress of my country, is the greatest honor. To the Senate and the House of Representatives from whence came the invitation, and to the President, who gave his sanction, I express my profound and respectful thanks. Absorbed as you are with a multitude of problems, domestic and foreign, I hesitate to trespass upon your crowded hours. However, having just returned to this country, after nearly a year and a half in the Far East, the last 13 months of which I served there as commander in chief, I feel you would wish me to report briefly on major problems encountered there, and to touch on a few of those matters which seem to me to be of substantial importance in our relations with the peoples of that region.

In outline, the matters I shall cover will be three: the conduct of military operations in Korea, the armistice negotiations, and our relations with the Japanese Government and its people. The first two pertain primarily to the military missions assigned me; the third, to my responsibilities as Supreme Commander for the Allied Powers, in which role, acting of course under the policy directives of superior authorities, I had over-all responsibility for all acts of the Japanese Government, as well as for the relations of all Americans and Allied personnel in Japan, both military and civilian, with the Japanese people.

I shall first discuss the conduct of military operations in Korea from Christmas of 1950, the day of my arrival in the Far East, to date.

¹ Address made before a joint session of the Congress on May 22; printed from *Cong. Rec.* of the same date, p. 5850. General Ridgway, former Commander in Chief of the U.N. Command for Korea and Supreme Commander, Allied Powers in Japan, was in Washington for conferences preparatory to his assumption on May 30 of the post of Supreme Allied Commander, Europe, in replacement of Gen. Dwight D. Eisenhower.

Assuming command of the Eighth Army on December 26, 1950, I found but three of its seven United States divisions, and these badly depleted in strength, in the combat zone.

Three of the other four had been only recently evacuated from the Hungnam area and of these only the First Marine Division was again ashore in the southern tip of the peninsula. The Third and Seventh Divisions were still aboard ship, while the Second Division was reorganizing and re-equipping as a result of its severe battle losses in the far north.

On a 135-mile front only two of these were on the line of contact, the third in blocking position to the rear. The remainder of this extended front was covered by the Republic of Korea Army, one British, and one Turkish regiment. The Korean divisions were likewise at reduced strength in men and equipment, each with an exceedingly meager artillery component, and all still suffering from the grievous blows they had sustained in the preceding 6 months.

Little time was granted before the first major hostile offensive struck. That time was used for personal visits to all corps and division commanders in their own battle sectors, in order to obtain on the ground, as is possible in no other way, a personal estimate of the character and competence of the commanders and of the problems and conditions confronting them. Based on those visits, decision was made that in the event of major hostile attack, the Army would delay in successive positions. With the instant cooperation of President Rhee, tens of thousands of indigenous laborers were put to work digging trenches and gun emplacements north of Seoul, South Korea's capital.

On New Year's Eve the major hostile attack was launched. It came shortly after dark on that winter evening, with its main effort a converging attack straight south—objective Seoul. By the afternoon of January 3 the situation of our troops

on the north bank of the partly frozen Han, with its few bridges within range of enemy guns, became precarious and withdrawal to a secondary delaying position was directed. The withdrawal and establishment of the secondary line south of the Han was accomplished with only light losses in personnel and equipment.

The hostile follow-up was unaggressive, and within a few days the Army was realigned intact on its new position. Intelligence had earlier reported an unconfirmed mass of 174,000 Chinese troops within easy striking distance in the west alone, excluding the North Korean forces to the east. To check on this intelligence, aggressive reconnaissance was begun at once and steadily increased in strength.

Based on the combat intelligence so secured, the Eighth Army, with all of its United Nations and Republic of Korea contingents, was launched on January 25, 1951, into a slow, thoroughly coordinated offensive, so designed as to preclude large scale enemy penetrations and the bypassing of substantial enemy forces which might have been a menace to the Army in its then weakened condition. The results of this general offensive action are a matter of historical record. In February and March of 1951 we repulsed two strong hostile counterthrusts, inflicting far heavier losses upon the enemy than we ourselves suffered.

I wish I could pay proper tribute to the magnificent conduct of United Nations troops throughout these operations. It is difficult to single out any one unit or the forces of any one nation, but to illustrate, I shall speak briefly of the Twenty-third United States Infantry Regiment, Col. Paul L. Freeman, commanding, with the French battalion and the normal components of artillery, engineer, and medical personnel from the United States Second Infantry Division. These troops in early February of 1951 sustained two of the severest attacks experienced during the entire Korean campaign. Twice isolated far in advance of the general battle line, twice completely surrounded in near zero weather, they repelled repeated assaults by day and night by vastly superior numbers of Chinese infantry. They were finally relieved by an armored column from the United States First Cavalry Division in as daring and dramatic an operation as the war provided.

I personally visited these magnificent men during both operations and personally directed the attack of the relieving armored column which finally broke through and contributed to the utter and final rout of the enemy forces. I want to record here my conviction that these American fighting men with their French comrades-in-arms measured up in every way to the battle conduct of the finest troops America or France has produced throughout their national existence.

By late March a year ago the Eighth Army knew it had control of the situation. With few checks and with scrupulous concern for the con-

serving of every possible United Nations life, the Eighth Army, with its magnificent naval and air support, moved steadily forward until by mid-April it stood again, with fighting heart, on or north of the thirty-eighth parallel almost entirely across the peninsula, imbued with unshakeable belief in its ability to destroy the enemy whenever and wherever met.

In no way could its splendid spirit have been better displayed than in the next succeeding 6 weeks, when under the conspicuous battlefield leadership of General Van Fleet, the Eighth Army met, checked, and destroyed two more major enemy attacks. Both of these had gained considerable ground and had penetrated deeply into United Nations territory. Subsequently, the entire Army, again with magnificent support of the air and sea arms, passed to the counteroffensive and continued its advance until by November last it stood approximately where now it stands—proud, defiant, and confident of its capability for accomplishing any mission it might be assigned.

In a scant 18 months, beginning with that early July day in 1950, when those first few immortal riflemen and airmen saw the Communist aggressors over their gun and bomb sights, the Eighth Army, comprising our own forces and those of the Republic of Korea, the British Commonwealth, Turkey, Greece, India, France, Ethiopia, Belgium, the Netherlands, Luxembourg, the Philippines, Thailand, Denmark, Sweden, Norway, Colombia, and Italy, has left a record of fidelity, valor, and cooperation unsurpassed in all military history.

The Armistice Negotiations

I pass now to the second of my three topics, the armistice negotiations.

For more than 10 months, a group of men, representative of the United Nations Command, and individually and collectively of as high-principled integrity, fidelity, courage, and vision as any group assembled for any similar purpose anywhere, anytime, have sought with full faith and loyalty to achieve an honorable armistice in accordance with the instructions of competent authority. That they have so far been unsuccessful is no slightest mark of failure, but rather, in my opinion, a monumental tribute to their strict adherence to United Nations' concepts of human dignity and human rights and to their efforts in the cause of peace. As the military arm of a great democracy, where that arm is completely, and under all conditions and circumstances, wholly subordinate and responsive to civil authority, they have served well.

Day after day, week after week, month after month, these splendid American soldiers, sailors, airmen, and marines, with their colleagues of the Republic of Korea, acting on behalf of the United Nations, have striven with logic and reason, with

patience and restraint, and above all with principle and truth, to overcome the blind hatred, the vituperative venom, the vicious falsehoods, deliberately employed, which are all inseparable elements of the technique of Communist negotiations.

I am constrained at this point to refer again to the officially propagated allegations of Communist leaders that the United Nations command in Korea has employed both germ and gas warfare. I wish to reiterate what I have repeatedly stated publicly, that these allegations are false in their entirety; that no element of the United Nations command has employed either germ or gas warfare in any form at any time.

In the whole black record of false propaganda, these charges should stand out as a monumental warning to the American people and the free world—a warning as menacing and as urgent as a forest fire bearing down upon a wooden village. The extent to which Communist leaders have gone in fabricating, disseminating, and persistently pursuing these false charges should impress upon the brains of those who yet fail or refuse to see the purpose of communism, the deadly danger with which it confronts us and the free world.

Today there rests in the Communist hands a logical, reasonable, and honorable proposal for the settlement on equitable terms of the three remaining major unresolved issues—airfield construction, the Communist proposal for membership of the Soviet Union on the neutral nations supervisory commission, and the Communist demands for forcible repatriation of prisoners of war.

The United Nations command delegation, under Vice Admiral C. Turner Joy, that sterling American who has presided over it with such distinction through these 10 months, still stands ready to remove by explanation and clarification, any honest doubts or misunderstandings of the meaning of this proposal which the opposing delegation may harbor. It does not intend to bargain on those issues, the logic of which and the reasons for which have been repeatedly and exhaustively debated.

Acceptance or rejection, cessation or continuance of hostilities in Korea, is now the responsibility of the Communist leaders.

U.S. Relations with Japan

My third and final topic pertains to our relations with Japan.

This relation is of incalculable value and importance to this Nation. Whether Japan grows in strength and resilience sufficient to withstand the impact of the inevitable blows of accidental and deliberate origin, or whether it declines in strength until circumstances or hostile powers succeed in effect in abrogating it, only history will tell. But if I may be pardoned expressing before this

august body a personal conviction in a field of responsibility which was formerly mine, I would say the continuance, in fact that an ever-strengthening of the bonds which today make of America and Japan mutually understanding, mutually respecting, and cooperative friends, confident each of the support of the other—I would say, gentlemen, that the attainment and retention for the indefinite future of such a relationship is of vital importance to the national welfare of both nations and to the peace of the world. The Japanese are a proud, sensitive, diligent, and homogeneous people. They have given much to world culture. They have achieved much with little in a brief time. They are capable of far greater contributions within the society of free nations.

In Japan where the basic essentials of life—food, shelter, clothing, and fuel—are in chronic short supply; where past mistakes, which no one recognizes better than do the Japanese as both tragic and lamentable; these people face obstacles in number and magnitude which might make the stoutest hearts quail, but theirs do not. With vision, with resolution, with courage, and with high principle, they propose to build a new Japan, to set before their people a picture of their goal, and to choose a path to take them there. They are asking no charity, but understanding, and the minimum reasonable help which will permit them to reassume in self-respecting dignity the responsibilities which sovereignty, now restored to them by the Japanese peace treaty, confers upon them as their own inherent right.

In this presentation I must express other convictions which to me have the stature of mountains viewed from the plain.

Underlying all major problems is Japan's vital need for the creation of a healthy and viable economy. Her present standard of living should be raised. Were it to be depressed, resulting conditions could have potentially grave consequences, for us as well as for them. The nourishing of her population, its employment in gainful occupation, its relations with neighbors both friendly and hostile, its ability to control the small but ever-dangerous Communist threat within her shores, all affect directly the extent to which she can stabilize a basic economy essential to her continued existence as a free and independent nation. In simple sequence, she must have access to raw materials which her industry can convert into products which she can sell in markets in which she must give and receive fair treatment in order to gain the foreign exchange to buy and import the food, fuel, and cloth she herself cannot produce.

The complexity of each of these problems will tax the best in intellect and integrity. That we can find mutually acceptable solutions to these problems is with me a matter of faith. I am convinced we can. I am convinced that if responsible,

reasonable men will meet and sit down with a common purpose of finding a common solution, that the Creator of the world will endow their efforts with success. I am convinced that in no other way can success be achieved.

Included among these many problems are ones of singular political difficulty for the present, or any other, Japanese Government. Her military power having been destroyed, her merchant marine, vital to an island people, having been drastically reduced in tonnage, her constitutional limitations against maintaining ground, sea, and air forces now having rendered her incapable of preserving unaided the independence recently restored to her, any government in Japan, the present included, is vulnerable to a degree to all manner of attack by both well- and ill-intentioned opposition.

Despite all this, the overwhelming attitude of the Japanese people toward us today is one of gratitude for the past, of hopefulness for sympathetic consideration in the future, and of very great friendliness.

The unfortunate occurrences on the 1st of May last were reported with accuracy and objectivity from the scene. I believe, however, they received a misleading interpretation in the United States.

Throughout Japan as a whole, that day passed in a generally quiet and orderly manner. The few disorders which occurred, other than in Tokyo, were relatively minor in character. Had they occurred in the United States, they would have excited little or no comment.

The disorders in Tokyo were of a different character. They bore the unmistakable stamp of deliberate Communist design, the target of which would, of course, have been America and all the principles for which she stands. Such was the case. It was marked, however, and I believe the facts will sustain this opinion, by an absolute minimum either of antiforeignism or anti-Americanism. The individual Americans who suffered bodily injury or indignity and the foreign property damaged or destroyed, the latter almost exclusively limited to a few automobiles, happened to be among or in the direct path of the rioting demonstrators. The results could have happened anywhere, and they have, on other occasions, even in our own land.

It would be a grave injustice to both Japanese and Americans to accord to this incident an exaggerated importance. That it revealed to the Japanese people the character and objective of Communist designs is a beneficial byproduct. The overwhelming majority of responsible Japanese opinion has already repudiated these acts in no unmistakable terms. The Japanese Government is alive to the Communist threat and resolved adequately to control it. The full influence of the

Emperor, the Prime Minister, and of all responsible members of the present government will be employed to solve this problem in a manner to bring this situation under adequate control with the least practicable delay, and to keep it there.

In short, the Japanese are at our side. Their gaze is lifted to see the same objective we see. They are presently walking with us. Whether they continue or not is a responsibility which rests rather more on us in the immediate future than on them, for our strength is superior, our resources immeasurably greater, and ours is the role of leadership.

In all these great problems, which though lightly touched upon, have such profound significance for us and the future of our country, we can, I think we must, look for strength to solve them upon that greatest reservoir of America's strength—faith in principle and trust in God. If we draw upon this reservoir with resolution and courage, it will meet all our needs.

I have been greatly privileged to have had the responsibilities which I recently relinquished. I shortly assume new ones. With full reliance on this same reservoir, and on the cooperation of all those engaged in our great crusade for peace and security, I approach our tasks with confidence higher than ever.

Check List of Department of State Press Releases: May 26-29, 1952

Releases may be obtained from the Office of the Special Assistant for Press Relations, Department of State, Washington 25, D. C. Items marked (*) are not printed in the BULLETIN; items marked (†) will appear in a future issue.

No.	Date	Subject
378	5/12	Rubber study group communiqué
381	5/13	Water levels in Lake Ontario
392	5/15	Radio convention with Canada
396	5/16	College for Ethiopia under Pt. 4
406	5/22	Bruce: Immigration, House comm.
409	5/23	Linder: Trade expansion
411	5/24	Fulbright opportunities, 1953
412	5/24	Department passport policy
*414	5/26	Jordan: Independence anniversary
415	5/26	Acheson: German contractual agmts.
*416	5/26	Int'l. locust control program
†417	5/27	Bruce: Statement on S. J. Res. 130
418	5/27	Electric systems conference
*419	5/27	Afghanistan: Anniversary
420	5/27	6th session, ICAO
421	5/27	Protocol to NATO
422	5/27	Tripartite declaration on EDC
423	5/28	Acheson: Signature, NATO protocol
424	5/28	Int'l. Whaling Commission
†425	5/28	New IIA office at Chicago
*426	5/29	Am. Legion post for Dept. employees
†427	5/29	Committee on Commodity Problems
†428	5/29	Muccio: Success in Korea

Africa

- ETHIOPIA:** Agricultural-mechanical college to be established 906

American Principles

- Trade expansion: a vital element in achievement of world peace (Linder) 898

Arms and Armed Forces

- Soviet restrictions in Germany protested, texts of U.S. notes 902

Asia

- A report on the far east (Ridgway) 924
KOREA: Communiqués to Security Council 915

Aviation

- International Civil Aviation Organization, 6th session 916

Canada

- Complaints concerning high water levels in Lake Ontario 903
 Radio equipment convention enters into force 905

Congress

- A report on the far east (Ridgway) 924
STATEMENTS: Continued support urged for refugee resettlement (Bruce) 920

Disarmament Commission

- Germ warfare, U.S. position on (Cohen) 911
 Tripartite proposals for numerical limitation of armed forces (statement by Cohen, text of proposals) 907

Europe

- BELGIUM:** Export-Import Bank extends loan 897
 European Defense Community established 895
FRANCE: Cotton importers association granted credit by Export-Import Bank 902
GERMANY:
 Becomes a member of European Defense Community (Acheson, contractual agreements) 887
 Soviet restrictions protested, texts of U.S. notes 902

Finance

- Export-Import Bank extends loan to Belgium 897
 French cotton importers association granted credit by Export-Import Bank 902

Industry

- Dissolving wood pulp situation improved 914

International Information

- Announcement on foreign study under Fulbright Act 906

International Meetings

- 9th International Rubber Study Group communiqué 913

U.S. DELEGATIONS:

- Conference on Large Electric High Tension Systems 915
 International Civil Aviation Organization, 6th session 916
 International Whaling Commission 915

North Atlantic Treaty Organization

- NAT protocol signed, statement by Acheson, tripartite declaration 895

Refugees and Displaced Persons

- Continued support urged 920

State, Department of

- Passports, policy on issuance of 919

Strategic Materials

- Dissolving wood pulp situation improved 914
 Working party to study world rubber supply 913

Technical Cooperation and Development

- Ethiopian agricultural-mechanical college to be established 906

Telecommunications

- Radio equipment convention with Canada enters into force 905

Trade

- Trade expansion: a vital element in achievement of world peace (Linder) 898

Treaty Information

- CANADA:** Radio equipment convention enters into force 905
 European Defense Community established 895
GERMANY: Contractual agreements, becomes a member of European Defense Community 887

United Nations

- Current bibliography, selected documents 916
 International Civil Aviation Organization, 6th session 916
SECURITY COUNCIL: Communiqués re Korea 915
 Tripartite proposals for limitation of armed forces 907
 U.S. in the U.N. 917

Name Index

- Acheson, Secretary 887, 895, 905
 Attwood, Frederic 915
 Barringer, J. Paul 916
 Bruce, David K. 920
 Cohen, Benjamin V. 907, 911
 Giroux, Carl H. 915
 Kask, John Laurence 915
 Kellogg, Arthur Remington 915
 Linder, Harold F. 898
 Plumptre, A. F. W. 913
 Reber, Samuel 902
 Ridgway, Matthew D. 924
 Wrong, Hume 905